

Biden v. Byrne

Plaintiff Robert Hunter Biden's Ex Parte Application for a Bench Warrant for the Arrest of
Defendant Patrick M. Byrne: Affidavit of Emily A. Dale
C/A No. 2:23-cv-09430-SVW-PD

EXHIBIT A

(Affidavit of Emily A. Dale)

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Attorneys for PLAINTIFF ROBERT
HUNTER BIDEN

13 **UNITED STATES DISTRICT COURT**
14 **CENTRAL DISTRICT OF CALIFORNIA**
15 **WESTERN DIVISION**

16 ROBERT HUNTER BIDEN, an
17 individual,

Plaintiff,

18 vs.

19 PATRICK M. BYRNE, an individual,

20 Defendant.
21

Case No. 2:23-cv-09430-SVW-PD

**AFFIDAVIT OF
EMILY A. DALE**

1 **PERSONALLY APPEARED BEFORE ME, I, Emily A. Dale,**
2 **affirm the statements below are truthful:**

- 3
4 1. My name is Emily Dale. I am a third-year law student at the University of South
5 Carolina and a legal intern at Richard A. Harpootlian, P.A.
- 6 2. In March of 2025 I created an X account (“X” is the platform formerly known
7 as Twitter) with the username @clerk841635. *See* Ex. A. Profile of
8 @clerk841635 on X.
- 9
10 3. I am the sole person who manages this account and who posts via this account.
- 11 4. I was asked to by my employer to post screenshots of the Court’s August 28,
12 2025 ORDER TO SHOW CAUSE WHY DEFENDANT PATRICK BYRNE
13 SHOULD NOT BE SANCTIONED OR HELD IN CIVIL CONTEMPT (the
14 “Order”) via my X account @clerk841635 under posts made by user
15 @PatrickByrne in order to serve the user @PatrickByrne with notice of the
16 Order.
- 17 5. The user @PatrickByrne on X is known to be the Defendant Patrick Byrne in
18 the above captioned case. *See* Ex. B Profile of @PatrickByrne on X.
- 19
20 6. On August 29, 2025, at approximately 1:16 p.m. EST, I replied via the
21 @clerk841635 account to an X post made by X user @PatrickByrne on August
22 29, 2025 at 10:50 a.m. In this post Mr. Byrne posted “Yes” as a reply to a post
23 made by @VividProwress “BREAKING: Benjamin Netanyahu says Israel will
24 release part of the October 7 massacre footage for the first time for the world
25
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1 to see. Is this the right decision?" I commented on @PatrickByrne's post with
2 five screenshots of The Honorable Stephen V. Wilson's August 28, 2025,
3 Order.
4

5 7. As a reply to my comment on the above post by Mr. Byrne, I subsequently
6 tagged Mr. Byrne in my comments by posting via the @clerk841635 account
7 "
8 "@PatrickByrne." See Ex. C.

9 8. My above post received a comment by X user Fred Riva @FredricoVI at
10 approximately 4:16 p.m., or three hours after my original post. This user's
11 comment reads: "it's a warning to shape up or face legal penalties that could
12 tilt the case toward Hunter. he can't show defamation if you were acting in
13 good faith. Best get your legal lot sorted Pat." See Ex. D, Comment by Fred
14 Riva.
15
16

17 9. The above comment by @FredricoVI was deleted shortly thereafter.

18 10. On September 3, 2025, at approximately 8:37 a.m. EST, I replied via the
19 @clerk841635 account to an X post made by X user @PatrickByrne on
20 September 3, 2025, at 8:13 a.m. In this post, Mr. Byrne posted "These stories
21 use the phrase 'money laundering'. The correct word is 'embezzlement'." Mr.
22 Byrne posted this post as a reply to an X post made by @WallStreetApes
23 "EXPOSED Democrats in Michigan have been creating thousands of fake jobs
24 and then laundering that money back to themselves 'We just had to cut 4,277
25 phantom jobs. You guys realize what a scandal this is? People should be
26
27
28

1 prosecuted for taking money that was appropriated to..." I commented on
2 @PatrickByrne's post with five screenshots of the Order. *See* Exhibit E.

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4 11. On September 3, 2025, at approximately 8:39 a.m. EST I replied via the
5 @clerk841635 account to an X post made by X user @PatrickByrne on
6 September 2, 2025, at 8:14 p.m. in which @PatrickByrne posted, "So it's a
7 minstrel show." Mr. Byrne posted this post as a reply to an X post made by user
8 @ClownWorld_ "How it started vs How its going." I commented on
9 @PatrickByrne's post via the @clerk841635 account with five screenshots of
10 the Order. I used the "tag" feature on X to tag @PatrickByrne in my post. *See*
11 Exhibit F.
12

13
14 12. On September 3, 2025, at approximately 8:39 a.m. EST I replied via the
15 @clerk841635 account to an X post made by X user @PatrickByrne on
16 September 2, 2025, at 1:15 p.m. in which @PatrickByrne posted, "Because
17 Black Lives Matter" with a photo. I commented on @PatrickByrne's post with
18 five screenshots of The Honorable Stephen V. Wilson's August 28, 2025,
19 Order. I used the "tag" feature on X to tag @Patrick Byrne in my post. *See*
20 Exhibit G.
21

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23
24 13. On September 3, 2025, at approximately 8:40 a.m. EST I replied via the
25 @clerk841635 account to an X post made by X user @PatrickByrne on
26 September 2, 2025 at 10:32 a.m. in which @PatrickByrne posted, "President
27 Trump should emphasize that, along with involvement in cartels or a violent
28

1 crime, the fastest way for an illegal to get a one-way ticket out of the USA is to
2 vote.” Mr. Byrne posted this post as a reply to a post made by X user
3 @Real_RobN “CONSPIRACY NO MORE: This is the state of Arizona: Non
4 citizens, illegal aliens, border crossers, asylum seekers, refugees...” I
5 commented on @PatrickByrne’s post via the @clerk841635 account with five
6 screenshots of the Order. I used the “tag” feature on X to tag @PatrickByrne in
7 my post. *See* Exhibit H.
8

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10 14. On September 3, 2025, at approximately 8:52 a.m. EST I replied via the
11 @clerk841635 account to an X post made by X user @PatrickByrne on
12 September 1, 2025, at 8:50 p.m. in which @PatrickByrne posted, “Never
13 forget. We Jiu-Jitsu’d our way out of it this time but we won’t again. So
14 remember: among us there live demons who want to spring tyranny on use if
15 the opportunity presents.” I commented on @PatrickByrne’s post with five
16 screenshots of the Order. I used the “tag” feature on X to tag @Patrick Byrne
17 in my post. *See* Exhibit I.
18
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20
21 15. On September 3, 2025, at approximately 8:53 a.m. EST I replied via the
22 @clerk841635 account to an X post made by X user @Patrick Byrne on
23 September 1, 2025, at 7:18 p.m. in which @PatrickByrne posted, “Pete has
24 finished his homework assignment and you can expect me to be on this week.”
25 Mr. Byrne posted this post as a reply to an X post made by X user @petersantilli
26 “Just finished reading Patrick Byrne’syrne “DANGER CLOSE” book. It was a
27
28

1 homework assignment @PatrickByrne gave me in advance of our upcoming
2 interview; which I enthusiastically accepted when he teased that there was
3 some very important information contained in the book which has never been
4 fleshed out in his previous interviews..." I commented on @PatrickByrne's
5 post via the @clerk841635 account with five screenshots of the Order. I used
6 the "tag" feature on X to tag @PatrickByrne in my post. *See Exhibit J.*

7
8
9 16. On September 3, 2025, at approximately 8:54 a.m. EST I replied via the
10 @clerk841635 account to an X post made by X user @PatrickByrne on
11 September 1, 2025, at 9:19 a.m. in which @PatrickByrne posted, "Nothing
12 says, 'I stand behind my work' like announcing your Parkinson's diagnosis
13 when asked to testify regarding the commission you ran that held up the country
14 for one presidency." with a news story from zerohedge.com. I commented on
15 this @PatrickByrne's post via the @clerk841635 account with five screenshots
16 of the Order. I used the "tag" feature on X to tag @PatrickByrne in my post.
17 *See Exhibit K.*

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21 17. On September 3, 2025, at approximately 8:54 a.m. EST I replied via the
22 @clerk841635 account to an X post made by X user @PatrickByrne on August
23 31, 2025, at 8:57 p.m. in which @PatrickByrne posted, "Four laughing
24 emoticons followed by Correct. In the name of, 'protecting democracy.' Mr.
25 Byrne posted this as a reply to an X post made by X user @seanmdav "Which
26 can only mean one thing: the leaders of those parties are about to get arrested
27
28

1 by the governments of the U.K., France, and Germany.
2 X.com/TheInsiderPape...” I commented on @PatrickByrne’s post via the
3 @clerk841635 account with five screenshots of the Order. I used the “tag”
4 feature on X to tag @PatrickByrne in my post. *See* Exhibit L.
5

6 18. On September 3, 2025, at approximately 8:56 a.m. EST I replied via the
7 @clerk841635 account to an X post made by X user @PatrickByrne on August
8 30, 2025, at 10:56 a.m. in which @PatrickByrne posted, “2012-2019 I grew
9 increasingly dismayed at what B.A. represented. Over those years undergrads
10 turned to dogshit intellectually, practiced only at regurgitating bromides and
11 saying, ‘I don’t feel safe’. Zero analytic skills.” with a link to a news report by
12 zero hedge.com. I commented on @PatrickByrne’s post via the @clerk841635
13 account with five screenshots of the Order. I used the “tag” feature on X to tag
14 @PatrickByrne in my post. *See* Exhibit M.
15
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17 19. On September 3, 2025, at approximately 8:56 a.m. EST I replied via the
18 @clerk841635 account to an X post made by X user @PatrickByrne on August
19 30, 2025, at 12:42 p.m. in which @PatrickByrne posted, “Aren’t we tired of
20 this? There’s a gay guy inside of the DOJ who writes plays about gay men
21 closeted together. More power to him. But now he’s doubling down on
22 defending the most unjust DOJ prosecutions in living memory. NEWSFLASH:
23 The J6 protesters turned out to be correct!” Mr. Byrne posted this post as a reply
24 to an X post made by X user @RealLindellTV “DOJ moves to dismiss the
25
26
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1 \$100M Proud Boys lawsuit DIRTY DOJ EXPOSE!!! We name names!! DOJ
2 attorney Siegmund F. Fuchs just filed paperwork to kill the case brought..." I
3 commented on @PatrickByrne's post via the @clerk841635 account with five
4 screenshots of the Order. I used the "tag" feature on X to tag @PatrickByrne in
5 my post. *See* Exhibit N.
6

7
8 20. On September 3, 2025, at approximately 8:57 a.m. EST I replied via the
9 @clerk841635 account to an X post made by X user @PatrickByrne on August
10 30, 2025, at 7:00 p.m., "This is the guy who has been deciding for parents what
11 should be considered 'normal' when weighing the costs and benefits of various
12 health interventions like vaccines." Mr. Byrne posted this post as a reply to an
13 X post made by X user @liz_churchill10 "This was the Satanic Filth that was
14 embedded at the CDC that made guidelines for your child's 'health' which
15 included Sexual Mutilation, Sterilization and forced Bill Gates 'Vaccines' that
16 cause Cancer." I commented on @PatrickByrne's post via the @clerk841635
17 account with five screenshots of the Order. I used the "tag" feature on X to tag
18 @PatrickByrne in my post. *See* Exhibit O.
19
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22 21. On September 3, 2025, at approximately 8:58 a.m. EST I replied via the
23 @clerk841635 account to an X post made by X user @PatrickByrne on August
24 31, 2025, at 10:32 a.m. in which @PatrickByrne posted, "A key demand I
25 would add: COUNT the ballots where they are CAST." Mr. Byrne posted this
26 as a reply to an X post made by X user @GenFlynn "ATTENTION! Subject:
27
28

1 Make Elections Secure Again (#MESA) @realDonaldTrump this MESA Bill
2 would be a nod to @realtinapeters for her..." I commented on @PatrickByrne's
3 post with five screenshots of the Order. I used the "tag" feature on X to tag
4 @Patrick Byrne in my post. See Exhibit P.

6 22. On September 3, 2025, at approximately 10:53 p.m. EST I replied via the
7 @clerk841635 account to an X post made by user @PatrickByrne on
8 September 3, 2025, at 7:32 p.m. in which @PatrickByrne posted, "Super
9 dishonorable behavior." Mr. Byrne posted this as a reply to an X post made by
10 X user @kevinblue345 who posted, "BREAKING: Kansas City, Missouri
11 where only white people involved in a deadly fight and MASS SHOOTING –
12 2 DEAD, 3 Clinging To LIFE After Fight Turns DEADLY With 60 ROUNDS
13 FIRED After Argument Over Girl After Bars Closed! WHY The MEDIA
14 SILENCE". I commented on @PatrickByrne's post with five screenshots of the
15 Order. I used the "tag" feature on X to tag @Patrick Byrne in my post. See
16 Exhibit Q.

21 23. On September 5, 2025, at approximately 8:04 p.m. EST I replied via the
22 @clerk841635 account to an X post made by user @PatrickByrne on
23 September 5, 2025, at 8:03 p.m. in which @PatrickByrne posted, "Tina Peters
24 rots in prison for PRESERVING election records. Behold two short videos of
25 James Zigglehodder & Thomas Gallagher DESTROYING the Delaware
26 County, Pennsylvania 2020 election records. They not only still walk free, they
27
28

1 still run elections there! WTF? rtw”. Mr. Byrne posted this as a reply to an X
2 post by X user @StefLambertEsq who posted, “WATCH THIS! REAL
3 EVIDENCE. REAL PENDING CASE. EXHIBIT EE2. CV-2022-000032
4 Motion, Hoopes, Stenstrom vs. Boockvar, Kathy et al Para 242: ‘Ziegelhoffer
5 justified his actions of disposing of the tapes ...”. I commented on
6 @PatrickByrne’s post “PATRICK BYRNE @PatrickByrne ORDERED BY
7 FEDERAL TO SHOW CAUSE WHY HE SHOULD NOT BE SANCTIONED
8 OR HELD IN CONTEMPT” with five screenshots of the Order. I used the
9 “tag” feature on X to tag @Patrick Byrne in my post. *See* Exhibit R.

10 24. On September 5, 2025, at approximately 8:07 p.m. EST I replied via the
11 @clerk841635 account to an X Post made by user @PatrickByrne on
12 September 5, 2025, at 8:05 p.m. in which @PatrickByrne posted, “18 USC
13 1519 2071 2071 371 52 USC 20701” Mr. Byrne posted this as a reply to an X
14 post by X user @StefLambertESq who posted “REAL EVIDENCE. REAL
15 CASE. REAL TRASH CAN WITH YOUR ELECTION RIGHT IN THE
16 GARBAGE. EXHIBIT DD. CV-2022-000032 Moton, Hoopes, Stenstrom vs
17 Boockvar Kathy, et al”. I commented on @PatrickByrne’s post “PATRICK
18 BYRNE ORDERED BY FEDERAL JUDGE TO SHOW CAUSE WHY
19 SHOULD NOT BE HELD IN CONTEMPT” with five screenshots of the
20 Order. I used the “tag” feature on X to tag @Patrick Byrne in my post. *See*
21 Exhibit S.

1 25. On September 5, 2025, at approximately 8:09 p.m. EST I replied via the
2 @clerk841635 account to an X post made by user @PatrickByrne on
3 September 5, 2025, at 7:15 p.m. in which @PatrickByrne posted, "Mistake. All
4 2020 election systems' hard drives were wiped written-over with a 'Golden
5 Image' with one exception: Fulton County, Pennsylvania's election systems
6 were by judicial order sent to be stored untouched in Pro V&V's Alabama
7 warehouse." with a link to a news story by thegatewaypundit.com. I
8 commented on @PatrickByrne's post "PATRICK BYRNE ORDERED BY
9 FEDERAL JUDGE TO SHOW CAUSE WHY HE SHOULD NOT BE HELD
10 IN CONTEMPT" with five screenshots of the Order. I used the "tag" feature
11 on X to tag @Patrick Byrne in my post. *See Exhibit T.*

12 26. On September 5, 2025, at approximately 8:35 p.m. EST I replied via the
13 @clerk841635 account to an X post made by user @PatrickByrne on
14 September 12, 2025, at 8:34 p.m. in which @PatrickByrne posted, "How
15 Elections Are Stolen with Ralph Pezzullo and Gary Bertsen youtu.be/-
16 NzjzMvDJzQ?si...via @Youtube". I commented on @PatrickByrne's post
17 "FEDERAL JUDGE ORDERS PATRICK BYRNE TO SHOW CAUSE OR
18 BE HELD IN CONTEMPT" with five screenshots of the Order. I used the "tag"
19 feature on X to tag @Patrick Byrne in my post. *See Exhibit U.*

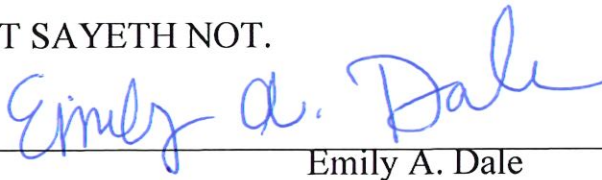
20 27. I received a reply to the above post I made from X user Donald Anderson
21 @DonaldA_Iowa on September 5, 2025, at 9:51 p.m. stating, "And this has
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1 WHAT to do with elections? So Byrne and the cokehead have a dispute.
2 Whatever.” See Exhibit V.

3
4 28. On September 6, 2025, at approximately 11:26 a.m. EST I replied via the
5 @clerk841635 account to an X post made by @PatrickByrne on September 6,
6 2025, at 9:16 a.m. in which @PatrickByrne posted,
7 “open.substack.com/pub/prayingman...”. I commented on @PatrickByrne’s
8 post, “PATRICK BYRNE ORDERED BY FEDERAL JUDGE TO SHOW
9 CAUSE OR BE HELD IN CONTEMPT” with five screenshots of the Order. I
10 used the “tag” feature on X to tag @Patrick Byrne in my post. See Exhibit W.
11

12
13 29. I affirm that all the above posts were made by me with the intention of putting
14 the Defendant in this case, Mr. Patrick Byrne, on notice of his opportunity to
15 show cause why he should not be held in contempt, in accordance with this
16 Court’s Order.
17

18
19 FURTHER AFFIANT SAYETH NOT.

20 
21 _____ Emily A. Dale

22 SWORN TO BEFORE ME

23 This 12th day of September, 2025.

24 
25 _____
26 Notary Public for South Carolina

27 My Commission Expires: July 25, 2032
28

EXHIBIT A

(Profile of @clerk841635)



Set up profile

clerk



Get verified

@clerk841635



Joined March 2025

1 Following 2 Followers

EXHIBIT B

(Profile of @PatrickByrne)

25.5K posts

**Subscribe****Patrick Byrne** ✓

@PatrickByrne

Constitutional republicanism & blockchain.
I mute at 1st sign of stupid.

enemywithindocuseries.comamericaproject.com/become-a-membe...

Entrepreneur Inside Deep State's OODA-Loop

rumble.com/v5jq48a-the-en... Born November 29

Joined September 2013

3,395 Following **403.4K** Followers **29** Subscriptions

Not followed by anyone you're following

Posts

Replies

Subs

Highlights

Media



Pinned

**Patrick Byrne** ✓ @PatrickByrne · Aug 6

youtube.com

I Told You So - Conspiracy Music Guru (BANNED o...
MERCH:

<https://www.conspiracymusicguru.com/category/t...>

25

74

230

99K



EXHIBIT C

(August 29, 2025 comment and
tag of @PatrickByrne)



Patrick Byrne @PatrickByrne · Aug 29

Yes



VividProwess @VividProwess · Aug 29

BREAKING: Benjamin Netanyahu says Israel will release part of the October 7 massacre footage for the first time for the world to see.

Is this the right decision?

38

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196

10K

...



clerk
@clerk841635

...

Present: The Honorable STEPHEN V. WILSON, U.S. DISTRICT JUDGE	
David Tamayo Deputy Clerk	Courtroom Court Reporter / Recorder
Attorneys Present for Plaintiff: N/A	Attorneys Present for Defendant: N/A

Proceedings: ORDER TO SHOW CAUSE WHY DEFENDANT PATRICK BYRNE SHOULD NOT BE SANCTIONED OR HELD IN CIVIL CONTEMPT

I. Introduction

The Court hereby orders Patrick Byrne, Defendant, to show cause why additional sanctions should not be entered for failure to comply with discovery, and why Defendant should not be held in civil contempt for violation of multiple court orders.

Before issuing a formal finding of contempt and imposing further sanctions, the Court issues this order to show cause so that Defendant may have notice and an opportunity to be heard on the matter.

II. Background

However, in direct violation of the Court's order from July 30, Defendant has provided neither email nor physical address to Plaintiff and remains unresponsive to Plaintiff and the Court. See ECF No. 327 ("Appt.") at 7-8-11. This behavior by Defendant has frustrated Plaintiff's attempts to conduct the court-ordered limited discovery. Moreover, at the status conference on August 18, 2025, Defendant again failed to personally appear, in direct violation of the Court's order. ECF No. 326.

III. Discussion

Considering Defendant's pattern of litigious behavior, failure to comply with discovery, and repeated violations of court orders, the Court now considers further sanctions.

A. Sanctions for Failure to Comply with Discovery

The Federal Rules of Civil Procedure ("FRCP") mandate that all parties comply with discovery. See Fed. R. Civ. P. 37. As such, when a party fails to obey an order to provide or permit discovery, the court where the action is pending may issue further orders, including: (1) directing that designated facts be taken as established for purposes of the action; (2) prohibiting the disobedient party from supporting or opposing designated claims or defenses; (3) striking pleadings in whole or in part; (4) staying further proceedings; (5) dismissing the action in whole or in part; (6) rendering a default judgment against the disobedient party; or (7) treating as contempt of court the failure to obey any order except as order to submit to a physical or mental examination. Fed. R. Civ. P. 37(b)(2)(A).

In the August 7 order, this Court sanctioned Defendant for litigious conduct at trial by requiring

proceedings, Defendant's lead trial attorney was Michael Murphy. See ECF No. 318. However, on the morning of trial, Defendant terminated Mr. Murphy without warning, delaying proceedings at the expense of Plaintiff and this Court. Defendant initially attempted to replace Mr. Murphy with three new lawyers: Eric Neff, Tom Yu, and Stephanie Lynn Lambert. ECF Nos. 290, 291, 292. Ms. Lambert was not a member of the California Bar, and her application to appear pro hac vice could not be granted due to her recent history of unethical conduct, which gave the Court reason to doubt the world would abide by the Court's rules and practices. ECF No. 295. When Defendant learned that Ms. Lambert was not qualified to represent him in this case, Defendant also instructed Mr. Neff and Mr. Yu to remove themselves. ECF No. 311.

Moreover, Defendant himself, now unrepresented, failed to appear at trial. Accordingly, the Court issued an order to show cause why it should not enter default judgment and ordered the parties to return the next day. At that hearing, on July 30, 2025, Defendant again failed to appear. Mr. Yu, who was not authorized to represent Defendant at trial, argued on Defendant's behalf for a continuance, in lieu of default judgment. See ECF No. 307. After hearing arguments, the Court weighed relevant public interest factors, declined to issue default judgment, and instead allowed a continuance until October 14, 2025, so that Defendant could retain counsel. *Id.* Moreover, as a sanction for Defendant's conduct, the Court required limited discovery to allow Plaintiff to investigate Defendant's financial condition and correspondingly ordered Defendant to (1) provide Plaintiff with an email address for electronic service at a physical address for mail or overnight delivery service of documents, and (2) respond to any written discovery requests from Plaintiff within fourteen days. *Id.* Furthermore, on August 14, 2025, the Court set a status conference for August 18, 2025, and ordered Defendant to appear personally. ECF No. 318. To ensure Defendant had actual notice, the Court sent copies of the above orders to Defendant's current,

past, and future addresses, and by email. Defendant's failure to appear at trial, in addition to Defendant, this Court offers him an opportunity to show cause why the Court should not promptly take such actions.

B. Civil Contempt for Violation of Court Orders

It is well-established that "courts have inherent power to enforce compliance with their lawful orders through civil contempt." *Spaworth v. United States*, 493 U.S. 265, 276 (1990) (quoting *Beckwith v. United States*, 384 U.S. 384, 378 (1966)). The contempt power is necessary to protect a court's ability to prevent the disruption of its proceedings and to enable it to enforce its judgments and orders. *Young v. United States*, 481 U.S. 707, 708 (1987). As such, a party may be held in civil contempt when it "[f]ails to take all reasonable steps within [its] power to comply [with a specific and definite court order]." *Id.* (quoting *In re David-Clark Video Cassette Recorder Antitrust Litig.*, 10 F.3d 683, 697 (9th Cir. 1993)).

The distinction between civil and criminal contempt looks to the "character and purpose" of the sanction imposed. *Gompers v. Bick's Store & Range Co.*, 221 U.S. 438, 440 (1910); *Lester v. Ford Motor Co.*, 399 F.2d 1101, 1110-09 (9th Cir. 2004). Criminal contempt is punitive and is imposed to "vindicate the authority of the court." *Gompers*, 221 U.S. at 441. In contrast, civil contempt has a remedial purpose. *Id.* Unlike criminal contempt, civil contempt carries no willful disobedience requirement. *McCook v. Jacksonville Paper Co.*, 356 U.S. 187, 191 (1948). However, a finding of civil contempt must be supported by clear and convincing evidence. *In re Dyer*, 32 F.3d 1176, 1180-91 (9th Cir. 2000).

Defendant Byrne appears to have failed to take all reasonable steps within his power to comply with two specific and definite orders issued by this court. First, Defendant—after receiving all his attorneys without warning on the day of trial—failed to comply, despite notice, with an order for sanctions

Is this the right decision?

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clerk

@clerk841635

Present: The Honorable STEPHEN V. WILSON, U.S. DISTRICT JUDGE

Daniel Tenney Deputy Clerk	Courtroom Court Reporter / Recorder
Attorneys Present for Plaintiff: N/A	Attorneys Present for Defendant: N/A

Proceedings: ORDER TO SHOW CAUSE WHY DEFENDANT PATRICK BYRNE SHOULD NOT BE SANCTIONED OR HELD IN CIVIL CONTEMPT

I. Introduction

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II. Background

However, in direct violation of the Court's order from July 30, Defendant has provided neither email nor physical address to Plaintiff and remains unresponsive to Plaintiff and the Court. See ECF No. 327 ("App'l") at 3-9-11. This behavior by Defendant has hindered Plaintiff's attempts to conduct the court-ordered limited discovery. Moreover, at the status conference on August 18, 2025, Defendant again failed to personally appear, in direct violation of the Court's order ECF No. 326.

III. Discussion

Considering Defendant's pattern of dilatory behavior, failure to comply with discovery, and repeated violations of court orders, the Court now considers further sanctions.

A. Sanctions for Failure to Comply with Discovery

The Federal Rules of Civil Procedure ("FRCP") mandate that all parties comply with discovery. See Fed. R. Civ. P. 37. As such, when a party fails to obey an order to provide or permit discovery, the court where the action is pending may issue further orders, including: (1) directing that designated facts be taken as established for purposes of the action, (2) prohibiting the disobedient party from supporting or opposing designated claims or defenses, (3) striking pleadings in whole or in part, (4) staying further proceedings, (5) dismissing the action in whole or in part, (6) rendering a default judgment against the disobedient party, or (7) treating as contempt of court the failure to obey any order except an order to submit to a physical or mental examination. Fed. R. Civ. P. 37(b)(2)(A).

In the August 7 order, this Court sanctioned Defendant for dilatory conduct in trial by ignoring

proceedings, Defendant's lead trial attorney was Michael Murphy. See ECF No. 68. However, on the morning of trial, Defendant terminated Mr. Murphy without warning, delaying proceedings at the expense of Plaintiff and this Court. Defendant initially attempted to replace Mr. Murphy with three new lawyers: Eric Neff, Tom Yu, and Stefanie Lynn Lambert. ECF Nos. 298, 291, 292. Ms. Lambert was not a member of the California Bar, and her application to appear pro-line vice could not be granted due to her recent history of unethical conduct, which gave the Court reason to doubt she would abide by the Court's rules and practices. ECF No. 295. When Defendant learned that Ms. Lambert was not qualified to represent him in this case, Defendant also instructed Mr. Neff and Mr. Yu to remove themselves. ECF No. 311.

Moreover, Defendant himself, now unrepresented, failed to appear at trial. Accordingly, the Court issued an order to show cause why it should not enter default judgment and ordered the parties to return the next day. At that hearing, on July 30, 2025, Defendant again failed to appear. Mr. Yu, who was not authorized to represent Defendant at trial, argued on Defendant's behalf for a continuance, in lieu of default judgment. See ECF No. 307. After hearing arguments, the Court weighed relevant public interest factors, declared to issue default judgment, and entered default against a continuance until October 18, 2025, so that Defendant could make contact. *Id.* Moreover, as a sanction for Defendant's conduct, the Court suspended limited discovery to allow Plaintiff to investigate Defendant's financial condition and correspondingly ordered Defendant to (1) provide Plaintiff with an email address for electronic service or a physical address for mail or overnight delivery service of documents, and (2) respond to any written discovery requests from Plaintiff within fourteen days. *Id.* Furthermore, on August 18, 2025, the Court set a status conference for August 18, 2025, and ordered Defendant to appear personally. ECF No. 318. To ensure Defendant had actual notice, the Court sent copies of the above orders to Defendant's current,

past, and future addresses and rendering a default judgment against Defendant. In fairness to Defendant, this Court offers him an opportunity to show cause why the Court should not promptly take such action.

B. Civil Contempt for Violation of Court Orders

It is well established that "courts have inherent power to enforce compliance with their lawful orders through civil contempt." *Spokane v. United States*, 493 U.S. 265, 276 (1990) (quoting *Willard v. United States*, 364 U.S. 364, 370 (1964)). The contempt power is necessary to protect a court's ability to prevent the disruption of its proceedings and to enable it to enforce its judgments and orders. *Evans v. United States*, 483 U.S. 707, 708 (1987). As such, a party may be held in civil contempt when it "fail[s] to take all reasonable steps within [its] power to comply [with a specific and definite court order]." *Id.* (quoting *In re Duff-Duck Video Cassette Recorder Antitrust Litig.*, 10 F.3d 683, 697 (9th Cir. 1993)).

The distinction between civil and criminal contempt looks to the "character and purpose" of the sanction imposed. *Beck v. Borge & Range Co.*, 223 U.S. 418, 441 (1911); *Leary v. Ford Motor Co.*, 399 F.2d 1101, 1110 (9th Cir. 2001). Criminal contempt is punitive and is imposed to "vindicate the authority of the court." *Gonzalez*, 223 U.S. at 441. In contrast, civil contempt has a remedial purpose. *Id.* Unlike criminal contempt, civil contempt continues so long as the engagement, *McCook v. Jacksonville Paper Co.*, 336 U.S. 507, 511 (1949). However, a finding of civil contempt must be supported by clear and convincing evidence. *In re Duff*, 11 F.3d 1176, 1180-81 (9th Cir. 2000).

Defendant Byrne appears to have failed to take all reasonable steps within his power to comply with two specific and definite orders issued by this court. First, Defendant—after terminating all his attorneys without warning on the day of trial—failed to comply, despite notice, with an order for sanctions

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Reply



clerk @clerk841635 · Aug 29

@PatrickByrne

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EXHIBIT D

(Comment to post by Fred Riva
@FredricoVI)

7:34



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Post

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clerk
@clerk841635

X.com

Present: The Honorable		STEPHEN V. WILSON, U.S. DISTRICT JUDGE	
Daniel Tamayo		CourtSmart	
Deputy Clerk		Court Reporter / Recorder	
Attorneys Present for Plaintiffs:		Attorneys Present for Defendants:	
N/A		N/A	

Proceedings: ORDER TO SHOW CAUSE WHY DEFENDANT PATRICK BYRNE SHOULD NOT BE SANCTIONED OR HELD IN CIVIL CONTEMPT

I. Introduction

The Court hereby orders Patrick Byrne, Defendant, to show cause why additional sanctions should not be entered for failure to comply with discovery, and why Defendant should not be held in civil contempt for violation of multiple court orders.

Before issuing a formal finding of contempt and imposing further sanctions, the Court issues this order to show cause so that Defendant may have notice and an opportunity to be heard on the matter.

II. Background

However, in direct violation of the Court’s order from July 30, Defendant has provided neither email nor physical address to Plaintiff and remains unresponsive to Plaintiff and the Court. See ECF No. 327 (“Appl.”) at 3-9-11. This behavior by Defendant has hindered Plaintiff’s attempts to conduct the court-ordered limited discovery. Moreover, at the status conference on August 18, 2025, Defendant again failed to personally appear, in direct violation of the Court’s order. ECF No. 326.

III. Discussion

Considering Defendant’s pattern of dilatory behavior, failure to comply with discovery, and repeated violations of court orders, the Court now considers further sanctions.

A. Sanctions for Failure to Comply with Discovery

The Federal Rules of Civil Procedure (“FRCP”) mandate that all parties comply with discovery. See Fed. R. Civ. P. 37. As such, when a party fails to obey an order to provide or permit discovery, the court where the action is pending may issue further orders, including: (1) directing that designated facts be taken as established for purposes of the action, (2) prohibiting the disobedient party from supporting or opposing designated claims or defenses, (3) striking pleadings in whole or in part, (4) staying further proceedings, (5) dismissing the action in whole or in part, (6) rendering a default judgment against the disobedient party, or (7) treating as contempt of court the failure to obey any order except an order to submit to a physical or mental examination. Fed R. Civ. P. 37(b)(2)(A).

In the August 5 order, this Court sanctioned Defendant for dilatory conduct at trial by reopening

proceedings, Defendant's lead trial attorney was Michael Murphy. See ECF No. 68. However, on the morning of trial, Defendant terminated Mr. Murphy without warning, delaying proceedings at the expense of Plaintiff and this Court. Defendant initially attempted to replace Mr. Murphy with three new lawyers: Eric Neff, Tom Yu, and Stefanie Lynn Lambert Junttila. ECF Nos. 290, 291, 292. Ms. Lambert was not a member of the California Bar, and her application to appear pro hac vice could not be granted due to her recent history of unethical conduct, which gave the Court reason to doubt she would abide by the Court's rules and practices. ECF No. 295. When Defendant learned that Ms. Lambert was not qualified to represent him in this case, Defendant also instructed Mr. Neff and Mr. Yu to remove themselves. ECF No. 311.

Moreover, Defendant himself, now unrepresented, failed to appear at trial. Accordingly, the Court issued an order to show cause why it should not enter default judgment and ordered the parties to return the next day. At that hearing, on July 30, 2025, Defendant again failed to appear. Mr. Yu, who was not authorized to represent Defendant at trial, argued on Defendant's behalf for a continuance, in lieu of default judgment. See ECF No. 307. After hearing arguments, the Court weighed relevant public interest factors, declined to issue default judgment, and instead allowed a continuance until October 14, 2025, so that Defendant could retain counsel. *Id.* Moreover, as a sanction for Defendant's conduct, the Court reopened limited discovery to allow Plaintiff to investigate Defendant's financial condition and correspondingly ordered Defendant to (1) provide Plaintiff with an email address for electronic service or a physical address for mail or overnight delivery service of documents, and (2) respond to any written discovery requests from Plaintiff within fourteen days. *Id.* Furthermore, on August 14, 2025, the Court set a status conference for August 18, 2025, and ordered Defendant to appear *personally*. ECF No. 318. To ensure Defendant had actual notice, the Court sent copies of the above orders to Defendant's current,

punitive damages award² or rendering a default judgment against Defendant. In fairness to Defendant, this Court offers him an opportunity to show cause why the Court should not promptly take such action.

B. Civil Contempt for Violation of Court Orders

It is well-established that "courts have inherent power to enforce compliance with their lawful orders through civil contempt." *Spallone v. United States*, 493 U.S. 265, 276 (1990) (quoting *Shillitani v. United States*, 384 U.S. 364, 370 (1966)). The contempt power is necessary to protect a court's ability to prevent the disruption of its proceedings and to enable it to enforce its judgments and orders. *Young v. United States*, 481 U.S. 787, 798 (1987). As such, a party may be held in civil contempt when it "fail[ed] to take all reasonable steps within [its] power to comply [with a specific and definite court order]." *Id.* (quoting *In re Dual-Deck Video Cassette Recorder Antitrust Litig.*, 10 F.3d 693, 695 (9th Cir. 1993)).

The distinction between civil and criminal contempt looks to the "character and purpose" of the sanction imposed. *Gompers v. Buck's Stove & Range Co.*, 221 U.S. 418, 441 (1911); *Lasar v. Ford Motor Co.*, 399 F.3d 1101, 1110 (9th Cir. 2005). Criminal contempt is punitive and is imposed to "vindicate the authority of the court." *Gompers*, 221 U.S. at 441. In contrast, civil contempt has a remedial purpose. *Id.* Unlike criminal contempt, civil contempt contains no willfulness requirement. *McComb v. Jacksonville Paper Co.*, 336 U.S. 187, 191 (1949). However, a finding of civil contempt must be supported by clear and convincing evidence. *In re Dyer*, 32 F.3d 1178, 1190-91 (9th Cir. 2003).

Defendant Byrne appears to have failed to take all reasonable steps within his power to comply with two specific and definite orders issued by this court. First, Defendant—after terminating all his attorneys without warning on the day of trial—failed to comply, despite notice, with an order for sanctions

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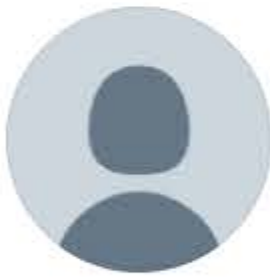
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Fred Riva @FedericoVII · 3h



it's a warning to shape up or face penalties that could tilt the case toward Hunter. he can't show defamation if you were acting in good faith. Best get your legal lot sorted Pat.

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EXHIBIT E

(September 3, 2025 comment)

These stories use the phrase, "money laundering".

The correct word is, "embezzlement".

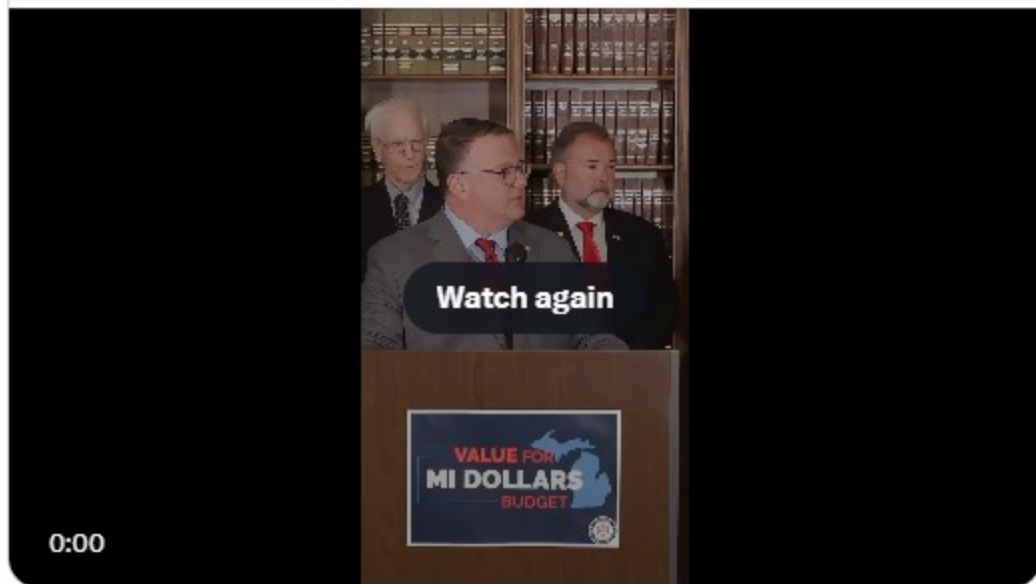


Wall Street Apes @WallStreetApes · Sep 1

EXPOSED 🇺🇸 Democrats in Michigan have been creating thousands of fake jobs and then laundering that money back to themselves

"We just had to cut 4,277 phantom jobs. You guys realize what a scandal this is? People should be prosecuted for taking money that w...

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Present The Honorable: STEPHEN V. WILSON, U.S. DISTRICT JUDGE	
David Tompco	Courtroom
Deputy Clerk	Court Reporter / Recorder
Attorneys Present for Plaintiff:	Attorneys Present for Defendant:
N/A	N/A
Proceedings:	ORDER TO SHOW CAUSE WHY DEFENDANT PATRICK BYRNE SHOULD NOT BE SANCTIONED OR HELD IN CIVIL CONTEMPT

I. Introduction

The Court hereby orders Patrick Byrne, Defendant, to show cause why additional sanctions should not be entered for failure to comply with discovery, and why Defendant should not be held in civil contempt for violation of multiple court orders.

Before issuing a formal finding of contempt and imposing further sanctions, the Court issues this order to show cause so that Defendant may have notice and an opportunity to be heard on the matter.

II. Background

However, in direct violation of the Court's order from July 30, Defendant has provided neither email nor physical address to Plaintiff and remains unresponsive to Plaintiff and the Court. See ECF No. 327 ("Appl.") at 3-9-11. This behavior by Defendant has hindered Plaintiff's attempts to conduct the court-ordered limited discovery. Moreover, at the status conference on August 18, 2025, Defendant again failed to personally appear, in direct violation of the Court's order ECF No. 326.

proceedings, Defendant's lead trial attorney was Michael Murphy. See ECF No. 68. However, on the morning of trial, Defendant terminated Mr. Murphy without warning, delaying proceedings at the expense of Plaintiff and the Court. Defendant initially attempted to replace Mr. Murphy with three new lawyers: Eric Naff, Tian Yu, and Stefano Lynn Lambert-Jamila. ECF Nos. 298, 299, 292. Mr. Lambert was not a member of the California Bar, and her application to appear pro hac vice could not be granted due to her recent history of unethical conduct, which gave the Court reason to doubt she would abide by the Court's rules and practices. ECF No. 295. When Defendant learned that Mr. Lambert was not qualified to represent him in this case, Defendant also instructed Mr. Naff and Mr. Yu to remove themselves. ECF No. 311.

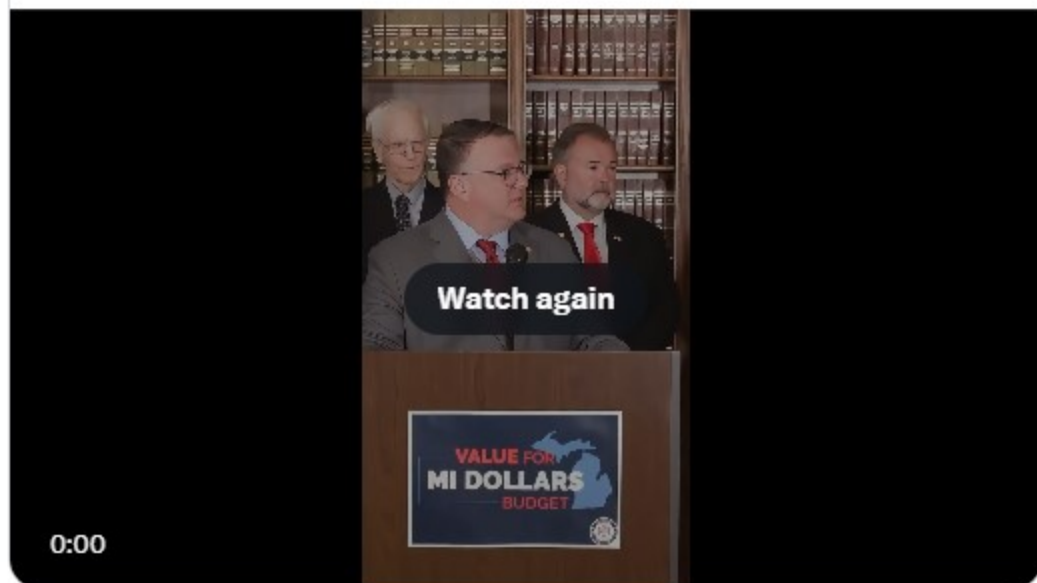
Moreover, Defendant himself, now unrepresented, failed to appear at trial. Accordingly, the Court issued an order to show cause why it should not enter default judgment and ordered the parties to return for the next day. At that hearing, on July 30, 2025, Defendant again failed to appear. Mr. Yu, who was not authorized to represent Defendant at trial, argued on Defendant's behalf for a continuance, in lieu of default judgment. See ECF No. 307. After hearing arguments, the Court weighed relevant public interest factors, declined to issue default judgment, and instead allowed a continuance until October 14, 2025, so that Defendant could retain counsel. *Id.* Moreover, as a sanction for Defendant's conduct, the Court required limited discovery to allow Plaintiff to investigate Defendant's financial condition and correspondingly ordered Defendant to (1) provide Plaintiff with an email address for electronic service at a physical address for mail or overnight delivery service of documents, and (2) respond to any written discovery requests from Plaintiff within business days. *Id.* Furthermore, on August 18, 2025, the Court set a status conference for August 18, 2025, and ordered Defendant to appear personally. ECF No. 318. To ensure Defendant had actual notice, the Court sent copies of the above orders to Defendant's current, positive business email¹ and rendering a default judgment against Defendant. In fairness to Defendant, this Court offers him an opportunity to show cause why the Court should not promptly take such action.

B. Civil Contempt for Violation of Court Orders

It is well-established that "courts have inherent power to enforce compliance with their lawful orders through civil contempt." *Spokane v. United States*, 493 U.S. 265, 276 (1990) (quoting *Ballou's*).

“We just had to cut 4,277 phantom jobs. You guys realize what a scandal this is? People should be prosecuted for taking money that w...

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Present The Honorable STEPHEN V. WILSON, U.S. DISTRICT JUDGE	
David Tanase	Courtroom
Deputy Clerk	Court Reporter / Recorder
Attorneys Present for Plaintiff:	Attorneys Present for Defendant:
N/A	N/A

Proceedings: ORDER TO SHOW CAUSE WHY DEFENDANT PATRICK BYRNE SHOULD NOT BE SANCTIONED OR HELD IN CIVIL CONTEMPT

I. Introduction

The Court hereby orders Patrick Byrne, Defendant, to show cause why additional sanctions should not be entered for failure to comply with discovery, and why Defendant should not be held in civil contempt for violation of multiple court orders.

Before issuing a formal finding of contempt and imposing further sanctions, the Court issues this order to show cause so that Defendant may have notice and an opportunity to be heard on the matter.

II. Background

However, in direct violation of the Court's order from July 30, Defendant has provided neither email nor physical address to Plaintiff and remains unresponsive to Plaintiff and the Court. See ECF No. 327 ("Appt.") at 9-11. This behavior by Defendant has frustrated Plaintiff's attempts to conduct the court-ordered limited discovery. Moreover, at the status conference on August 18, 2025, Defendant again failed to personally appear, in direct violation of the Court's order. ECF No. 326.

III. Discussion

Considering Defendant's pattern of dilatory behavior, failure to comply with discovery, and repeated violations of court orders, the Court now considers further sanctions.

A. Sanctions for Failure to Comply with Discovery

The Federal Rules of Civil Procedure ("FRCP") mandate that all parties comply with discovery. See Fed. R. Civ. P. 37. As such, when a party fails to obey an order to provide or permit discovery, the court where the action is pending may issue further orders, including: (1) directing that designated facts be taken as established for purposes of the action, (2) prohibiting the disobedient party from supporting or opposing designated claims or defenses, (3) striking pleadings in whole or in part, (4) staying further proceedings, (5) dismissing the action in whole or in part, (6) rendering a default judgment against the disobedient party, or (7) treating as contempt of court the failure to obey any order except an order to submit to a physical or mental examination. Fed. R. Civ. P. 37(d)(2)(A).

In the August 7 order, this Court sanctioned Defendant for dilatory conduct at trial by requiring

proceedings. Defendant's lead trial attorney was Michael Murphy. See ECF No. 318. However, on the morning of trial, Defendant terminated Mr. Murphy without warning, deferring proceedings at the expense of Plaintiff and the Court. Defendant initially attempted to replace Mr. Murphy with three new lawyers: Eric Naff, Tom Yu, and Nicholas Lynn Lambert Jurella. ECF Nos. 280, 291, 292. Mr. Lambert was not a member of the California Bar, and her application to appear pro hac vice could not be granted due to her recent history of unethical conduct, which gave the Court reason to doubt she would abide by the Court's rules and practices. ECF No. 285. When Defendant learned that Mr. Lambert was not qualified to represent him in this case, Defendant also instructed Mr. Naff and Mr. Yu to remove themselves. ECF No. 311.

Moreover, Defendant himself, now unrepresented, failed to appear at trial. Accordingly, the Court issued an order to show cause why it should not enter default judgment and ordered the parties to return the next day. At that hearing, on July 30, 2025, Defendant again failed to appear. Mr. Yu, who was not authorized to represent Defendant at trial, argued on Defendant's behalf for a continuance, in lieu of default judgment. See ECF No. 307. After hearing arguments, the Court weighed relevant public interest factors, declined to issue default judgment, and instead allowed a continuance until October 14, 2025, so that Defendant could retain counsel. *Id.* Moreover, as a sanction for Defendant's conduct, the Court required limited discovery to allow Plaintiff to investigate Defendant's financial condition and correspondingly ordered Defendant to (1) provide Plaintiff with an email address for electronic service as a physical address for mail, or otherwise deliver service of documents, and (2) respond to any written discovery requests from Plaintiff within fourteen days. *Id.* Furthermore, on August 14, 2025, the Court set a status conference for August 18, 2025, and ordered Defendant to appear personally. ECF No. 316. To ensure Defendant had actual notice, the Court sent copies of the above orders to Defendant's current, positive damages award" or rendering a default judgment against Defendant. In fairness to Defendant, this Court offers him an opportunity to show cause why the Court should not promptly take such action.

B. Civil Contempt for Violation of Court Orders

It is well established that "sanctions have inherent power to enforce compliance with their lawful orders through civil contempt." *Spokane v. United States*, 493 U.S. 265, 276 (1990) (quoting *Willard v. United States*, 384 U.S. 384, 370 (1966)). The contempt power is necessary to protect a court's ability to prevent the disruption of its proceedings and to enforce its judgments and orders. *Young v. United States*, 481 U.S. 767, 786 (1987). As such, a party may be held in civil contempt when it "fail[ed] to take all reasonable steps within [its] power to comply [with a specific and definite court order]." *Id.* (quoting *In re David Shook Video Counter Records*, *National Ltg.*, 10 F.3d 683, 687 (9th Cir. 1993)).

The distinction between civil and criminal contempt looks to the "character and purpose" of the sanction imposed. *Gonzalez v. Bud's Super & Range Co.*, 223 U.S. 418, 441 (1910); *Lewis v. Ford Motor Co.*, 399 F.2d 1101, 1110 (9th Cir. 2005). Criminal contempt is punitive and is imposed to "vindicate the authority of the court." *Gonzalez*, 223 U.S. at 441. In contrast, civil contempt has a remedial purpose. *Id.* Unlike criminal contempt, civil contempt contains no willfulness requirement. *McCook v. Jacksonville Paper Co.*, 336 U.S. 187, 191 (1949). However, a finding of civil contempt must be supported by clear and convincing evidence. *In re Shook*, 12 F.3d 1176, 1180-81 (9th Cir. 2005).

Defendant Byrne appears to have failed to take all reasonable steps within his power to comply with two specific and definite orders issued by the court. First, Defendant—after terminating all his attorneys without warning on the day of trial—failed to comply, despite notice, with an order for sanctions

EXHIBIT F

(September 3, 2025 comment
and tag of @PatrickByrne)

Clown World™ @ClownWorld_ · Sep 2
How it started vs How it's going



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clerk
@clerk841635

Power: The Honorable STEPHEN V. WILSON, U.S. DISTRICT JUDGE

David Torrey Deputy Clerk	Courtroom
Attorneys Present for Plaintiff:	Attorneys Present for Defendant:
N/A	N/A

Proceedings: ORDER TO SHOW CAUSE WHY DEFENDANT PATRICK BYRNE SHOULD NOT BE SANCTIONED OR HELD IN CIVIL CONTEMPT

I. Introduction

The Court hereby orders Patrick Byrne, Defendant, to show cause why additional sanctions should not be entered for failure to comply with discovery, and why Defendant should not be held in civil contempt for violation of multiple court orders.

Before issuing a formal finding of contempt and imposing further sanctions, the Court issues this order to show cause so that Defendant may have notice and an opportunity to be heard on the matter.

II. Background

However, to direct violation of the Court's order from July 30, Defendant has provided neither email nor physical address to Plaintiff and remains unresponsive to Plaintiff and the Court. See ECF No. 327 ("Appt") at 3-4-11. This behavior by Defendant has frustrated Plaintiff's attempts to conduct the court-ordered limited discovery. Moreover, at the status conference on August 16, 2025, Defendant again failed to personally appear, in direct violation of the Court's order. ECF No. 326.

III. Discussion

Considering Defendant's pattern of dilatory behavior, failure to comply with discovery, and repeated violations of court orders, the Court now considers further sanctions.

A. Sanctions for Failure to Comply with Discovery

The Federal Rules of Civil Procedure ("FRCP") mandate that all parties comply with discovery. See Fed. R. Civ. P. 37. As such, when a party fails to obey an order to provide or permit discovery, the court where the action is pending may issue further orders, including: (1) directing that designated facts be taken as established for purposes of the action; (2) prohibiting the disobedient party from supporting or opposing designated claims or defenses; (3) striking pleadings in whole or in part; (4) staying further proceedings; (5) dismissing the action in whole or in part; (6) entering a default judgment against the disobedient party; or (7) treating as contempt of court the failure to obey any order except an order to submit to a physical or mental examination. Fed. R. Civ. P. 37(b)(2)(A).

In the August 1 order, this Court sanctioned Defendant for dilatory conduct at trial by requiring

proceedings, Defendant's lead trial attorney was Michael Murphy. See ECF No. 318. However, on the morning of trial, Defendant terminated Mr. Murphy without warning, delaying proceedings at the expense of Plaintiff and this Court. Defendant initially attempted to replace Mr. Murphy with three new lawyers: Eric Neff, Tom Yu, and Stefanie Lynn Lambert. ECF Nos. 280, 291, 292. Ms. Lambert was not a member of the California Bar, and her application to appear pro se vice could not be granted due to her recent history of unethical conduct, which gave the Court reason to doubt she would abide by the Court's rules and practices. ECF No. 295. When Defendant learned that Ms. Lambert was not qualified to represent her in this case, Defendant also instructed Mr. Neff and Mr. Yu to remove themselves. ECF No. 311.

Moreover, Defendant himself, now unrepresented, failed to appear at trial. Accordingly, the Court issued an order to show cause why it should not enter default judgment and ordered the parties to return the next day. At that hearing, on July 30, 2025, Defendant again failed to appear. Mr. Yu, who was not authorized to represent Defendant at trial, argued on Defendant's behalf for a continuance, in lieu of default judgment. See ECF No. 317. After hearing arguments, the Court weighed relevant public interest factors, declined to issue default judgment, and instead allowed a continuance until October 16, 2025, so that Defendant could retain counsel. *Id.* Moreover, as a sanction for Defendant's conduct, the Court suspended limited discovery to allow Plaintiff to investigate Defendant's financial condition and accordingly ordered Defendant to (1) provide Plaintiff with an email address for electronic service at a physical address for mail or overnight delivery service of documents, and (2) respond to any written discovery requests from Plaintiff within fourteen days. *Id.* Furthermore, on August 16, 2025, the Court set a status conference for August 18, 2025, and ordered Defendant to appear personally. ECF No. 318. To ensure Defendant had actual notice, the Court sent copies of the above orders to Defendant's current, punitive damages award" or rendering a default judgment against Defendant. In fairness to Defendant, this Court offers her an opportunity to show cause why the Court should not promptly take such action.

B. Civil Contempt for Violation of Court Orders

It is well established that "courts have inherent power to enforce compliance with their lawful orders through civil contempt." *Spencer v. United States*, 493 U.S. 253, 276 (1990) (quoting *Shelton v. United States*, 384 U.S. 364, 370 (1964)). The contempt power is necessary to protect a court's ability to prevent the disruption of its proceedings and to enable it to enforce its judgments and orders. *Fung v. United States*, 481 U.S. 787, 794 (1987). As such, a party may be held in civil contempt when a "willful" failure to take all reasonable steps within [its] power to comply [with a specific and definite court order]." *Id.* (quoting *In re David Black Video Cassette Recorder Antitrust Litig.*, 10 F.3d 483, 489 (9th Cir. 1983)).

The distinction between civil and criminal contempt looks to the "character and purpose" of the sanction imposed. *Gompers v. Beth's Store & Range Co.*, 223 U.S. 418, 441 (1911); *Leaver v. Ford Motor Co.*, 399 F.2d 1101, 1110-09 Cir. 2001). Criminal contempt is punitive and is imposed to "vindicate the authority of the court." *Gompers*, 223 U.S. at 441. In contrast, civil contempt has a remedial purpose. *Id.* Unlike criminal contempt, civil contempt contains no willfulness requirement. *Id.* *Cook v. Jacksonville Paper Co.*, 336 U.S. 197, 191 (1949). However, a finding of civil contempt must be supported by clear and convincing evidence. *In re Egan*, 512 F.2d 1176, 1180-81 (9th Cir. 2005).

Defendant Byrne appears to have failed to take all reasonable steps within his power to comply with two specific and definite orders issued by this court. First, Defendant's attorney failing to appear at the August 16 hearing on the day of trial—failed to comply, despite notice, with an order for sanctions

How it started vs How it's going



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@clerk841635

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Present: The Honorable STEPHEN V. WILSON, U.S. DISTRICT JUDGE	
Daniel Tenejo	Courtroom
Deputy Clerk	Court Reporter / Recorder
Attorneys Present for Plaintiff:	Attorneys Present for Defendant:
N/A	N/A

Proceedings: ORDER TO SHOW CAUSE WHY DEFENDANT PATRICK BYRNE SHOULD NOT BE SANCTIONED OR HELD IN CIVIL CONTEMPT

I. Introduction

The Court hereby orders Patrick Byrne, Defendant, to show cause why additional sanctions should not be entered for failure to comply with discovery, and why Defendant should not be held in civil contempt for violation of multiple court orders.

Before issuing a formal finding of contempt and imposing further sanctions, the Court issues this order to show cause so that Defendant may have notice and an opportunity to be heard on the matter.

II. Background

However, in direct violation of the Court's order from July 30, Defendant has provided neither email nor physical address to Plaintiff and remains unresponsive to Plaintiff and the Court. See ECF No. 327 ("App") at 3-9-11. This behavior by Defendant has hindered Plaintiff's attempts to conduct the court-ordered limited discovery. Moreover, at the status conference on August 18, 2025, Defendant again failed to personally appear, in direct violation of the Court's order. ECF No. 326.

III. Discussion

Considering Defendant's pattern of dilatory behavior, failure to comply with discovery, and repeated violations of court orders, the Court now considers further sanctions.

A. Sanctions for Failure to Comply with Discovery

The Federal Rules of Civil Procedure ("FRCP") mandate that all parties comply with discovery. See Fed. R. Civ. P. 37. As such, when a party fails to obey an order to provide or permit discovery, the court where the action is pending may issue further orders, including: (1) directing that designated facts be taken as established for purposes of the action, (2) prohibiting the disobedient party from supporting or opposing designated claims or defenses, (3) striking pleadings in whole or in part, (4) staying further proceedings, (5) dismissing the action in whole or in part, (6) rendering a default judgment against the disobedient party, or (7) treating as contempt of court the failure to obey any order except an order to submit to a physical or mental examination. Fed. R. Civ. P. 37(b)(2)(A).

In the August 7 order, this Court sanctioned Defendant for dilatory conduct as noted by requiring

proceedings, Defendant's lead trial attorney was Michael Murphy. See ECF No. 66. However, on the morning of trial, Defendant terminated Mr. Murphy without warning, delaying proceedings at the expense of Plaintiff and this Court. Defendant initially attempted to replace Mr. Murphy with three new lawyers: Eric Noll, Tom Yu, and Nicholas Lynn Lambert Jamila. ECF Nos. 280, 291, 292. Mr. Lambert was not a member of the California Bar, and her application to appear pro hac vice could not be granted due to her recent history of unethical conduct, which gave the Court reason to doubt she would abide by the Court's rules and practices. ECF No. 295. When Defendant learned that Mr. Lambert was not qualified to represent him in this case, Defendant also instructed Mr. Noll and Mr. Yu to remove themselves. ECF No. 311.

Moreover, Defendant himself, now unrepresented, failed to appear at trial. Accordingly, the Court issued an order to show cause why it should not enter default judgment and order the parties to return the next day. At that hearing, on July 30, 2025, Defendant again failed to appear. Mr. Yu, who was not authorized to represent Defendant at trial, argued on Defendant's behalf for a continuance, in lieu of default judgment. See ECF No. 307. After hearing arguments, the Court weighed relevant public interest factors, declined to issue default judgment, and instead allowed a continuance until October 14, 2025, so that Defendant could retain counsel. *Id.* Moreover, as a sanction for Defendant's conduct, the Court suspended limited discovery to allow Plaintiff to investigate Defendant's financial condition and correspondingly ordered Defendant to (1) provide Plaintiff with an email address for electronic service as a physical address for mail or overnight delivery service of documents, and (2) respond to any written discovery requests from Plaintiff within fourteen days. *Id.* Furthermore, on August 14, 2025, the Court set a status conference for August 18, 2025, and ordered Defendant to appear personally. ECF No. 318. To ensure Defendant had actual notice, the Court sent copies of all of these orders to Defendant's current, punitive damages award" or rendering a default judgment against Defendant. In fairness to Defendant, this Court offers him an opportunity to show cause why the Court should not promptly take such action.

B. Civil Contempt for Violation of Court Orders

It is well-established that "courts have inherent power to enforce compliance with their lawful orders through civil contempt." *Spencer v. United States*, 493 U.S. 365, 376 (1990) (quoting *Willard v. United States*, 184 U.S. 364, 370 (1902)). The contempt power is necessary to protect a court's ability to prevent the disruption of its proceedings and to enable it to enforce its judgments and orders. *Fong v. United States*, 483 U.S. 767, 786 (1987). As such, a party may be held in civil contempt when it "fail[ed] to take all reasonable steps within [its] power to comply [with a specific and definite court order]." *Id.* (quoting *In re Dad-Donk Video Casino Records Antitrust Litig.*, 10 F.3d 683, 691 (9th Cir. 1993)).

The distinction between civil and criminal contempt looks to the "character and purpose" of the sanction imposed. *Gonzalez v. Red & Rango Co.*, 223 U.S. 418, 441 (1911); *Levy v. Ford Motor Co.*, 399 F.2d 110, 1110-08 Cir. 2001). Criminal contempt is punitive and is imposed to "vindicate the authority of the court." *Gonzalez*, 223 U.S. at 441. In contrast, civil contempt has a remedial purpose. *Id.* Unlike criminal contempt, civil contempt carries no willfulness requirement. *McCord v. Jacksonville Paper Co.*, 336 U.S. 187, 191 (1949). However, a finding of civil contempt must be supported by clear and convincing evidence. *In re Dyer*, 312 F.3d 1178, 1180-81 (9th Cir. 2003).

Defendant Byrne appears to have failed to take all reasonable steps within his power to comply with two specific and definite orders issued by this court. First, Defendant—after receiving all his attorneys without warning on the day of trial—failed to comply, despite notice, with an order for sanctions

Patrick Byrne

EXHIBIT G

(September 3, 2025 comment
and tag of @PatrickByrne)



15

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107

6.6K

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clerk

@clerk841635

...

Present: The Honorable STEPHEN V. WILSON, U.S. DISTRICT JUDGE	
Daniel Teneey	Courtroom
Deputy Clerk	Court Reporter / Recorder
Attorneys Present for Plaintiff:	Attorneys Present for Defendant:
N/A	N/A

Proceedings: ORDER TO SHOW CAUSE WHY DEFENDANT PATRICK BYRNE SHOULD NOT BE SANCTIONED OR HELD IN CIVIL CONTEMPT

I. Introduction

The Court hereby orders Patrick Byrne, Defendant, to show cause why additional sanctions should not be entered for failure to comply with discovery, and why Defendant should not be held in civil contempt for violation of multiple court orders.

Before issuing a formal finding of contempt and imposing further sanctions, the Court issues this order to show cause so that Defendant may have notice and an opportunity to be heard on the matter.

II. Background

However, in direct violation of the Court's order from July 30, Defendant has provided neither email nor physical address to Plaintiff and remains unresponsive to Plaintiff and the Court. See ECF No. 327 ("App.") at 3-4. This behavior by Defendant has hindered Plaintiff's attempts to conduct the court-ordered limited discovery. Moreover, at the status conference on August 18, 2025, Defendant again failed to personally appear, in direct violation of the Court's order. ECF No. 326.

III. Discussion

Considering Defendant's pattern of dilatory behavior, failure to comply with discovery, and repeated violations of court orders, the Court now considers further sanctions.

A. Sanctions for Failure to Comply with Discovery

The Federal Rules of Civil Procedure ("FRCP") mandate that all parties comply with discovery. See Fed. R. Civ. P. 37. As such, when a party fails to obey an order to provide or permit discovery, the court where the action is pending may issue further orders, including: (1) directing that designated facts be taken as established for purposes of the action, (2) prohibiting the disobedient party from supporting or opposing designated claims or defenses, (3) striking pleadings in whole or in part, (4) staying further proceedings, (5) dismissing the action in whole or in part, (6) rendering a default judgment against the disobedient party, or (7) treating as contempt of court the failure to obey any order except an order to submit to a physical or mental examination. Fed. R. Civ. P. 37(d)(2)(A).

In the August 7 order, this Court sanctioned Defendant for dilatory conduct at trial by requiring

proceedings, Defendant's lead trial attorney was Michael Murphy. See ECF No. 48. However, on the morning of trial, Defendant terminated Mr. Murphy without warning, delaying proceedings at the expense of Plaintiff and the Court. Defendant initially attempted to replace Mr. Murphy with three new lawyers: Drs. Nall, Tan Yu, and Stefanie Lynn Lambhart Jurrita. ECF Nos. 298, 299, 292. Ms. Lambhart was not a member of the California Bar, and her application to appear pro-hoc vice could not be granted due to her recent history of unethical conduct, which gave the Court reason to doubt she would abide by the Court's rules and practices. ECF No. 295. When Defendant learned that Ms. Lambhart was not qualified to represent him in this case, Defendant also instructed Mr. Nall and Mr. Yu to remove themselves. ECF No. 311.

Moreover, Defendant himself, now unrepresented, failed to appear at trial. Accordingly, the Court issued an order to show cause why it should not enter default judgment and ordered the parties to return the next day. At that hearing, on July 30, 2025, Defendant again failed to appear. Mr. Yu, who was not authorized to represent Defendant at trial, argued on Defendant's behalf for a continuance, in lieu of default judgment. See ECF No. 307. After hearing arguments, the Court weighed relevant public interest factors, declined to issue default judgment, and instead allowed a continuance until October 14, 2025, so that Defendant could retain counsel. *Id.* Moreover, as a sanction for Defendant's conduct, the Court imposed limited discovery to allow Plaintiff to investigate Defendant's financial condition and correspondingly ordered Defendant to (1) provide Plaintiff with an email address for electronic service at a physical address for mail or overnight delivery service of documents, and (2) respond to any written discovery requests from Plaintiff within fourteen days. *Id.* Furthermore, on August 14, 2025, the Court set a status conference for August 18, 2025, and ordered Defendant to appear personally. ECF No. 318. To ensure Defendant had actual notice, the Court sent copies of the above orders to Defendant's current,

past, and future addresses, and ordering a default judgment against Defendant. In fairness to Defendant, this Court offers him an opportunity to show cause why the Court should not promptly take such action.

B. Civil Contempt for Violation of Court Orders

It is well-established that "courts have inherent power to enforce compliance with their lawful orders through civil contempt." *Spivey v. United States*, 493 U.S. 265, 276 (1990) (quoting *Belmont v. United States*, 483 U.S. 344, 370 (1987)). The contempt power is necessary to protect a court's ability to prevent the disruption of its proceedings and to enable it to enforce its judgments and orders. *Young v. United States*, 483 U.S. 747, 768 (1987). As such, a party may be held in civil contempt when it "fail[ed] to take all reasonable steps within [its] power to comply [with a specific and definite court order]." *Id.* (quoting *In re Duff-Buck Video Casette Recorder Antitrust Litig.*, 10 F.3d 443, 495 (9th Cir. 1993)).

The distinction between civil and criminal contempt looks to the "character and purpose" of the sanction imposed. *Gonzalez v. Ind. & Ill. & R.R. Co.*, 223 U.S. 418, 441 (1911); *Exxon v. Ford Motor Co.*, 399 F.2d 1101, 1110 (9th Cir. 2004). Criminal contempt is punitive and is imposed to "vindicate the authority of the court." *Gonzalez*, 223 U.S. at 441. In contrast, civil contempt has a remedial purpose. *Id.* Unlike criminal contempt, civil contempt contains no willfulness requirement. *30 Const. v. Jacksonville Paper Co.*, 136 U.S. 187, 191 (1900). However, a finding of civil contempt must be supported by clear and convincing evidence. *In re Fox*, 32 F.3d 1178, 1180-81 (9th Cir. 2000).

Defendant Byrne appears to have failed to take all reasonable steps within his power to comply with two specific and definite orders issued by this court. First, Defendant—after terminating all his attorneys without warning on the day of trial—failed to comply, despite notice, with an order for sanctions

Patrick Byrne

EXHIBIT H

(September 3, 2025 comment
and tag of @PatrickByrne)

President Trump should emphasize that, along with involvement in cartels or a violent crime, the fastest way for an illegal to get a one-way ticket out of the USA is to vote.

 **RealRobert**  @Real_RobN · Sep 1

CONSPIRACY NO MORE:

This is the State of Arizona:

Non citizens, illegal aliens, border crossers, asylum seekers, refugees and MS...

[Show more](#)



10:32 AM · Sep 2, 2025 · 12.9K Views

 17

 211

 449

 17



 Post your reply

Reply

 clerk @clerk841635 · Sep 3



Present: The Honorable STEPHEN V. WILSON, U.S. DISTRICT JUDGE
David Tancze Courtroom

proceedings. Defendant's lead trial attorney was Michael Murphy. See ECF No. 48. However, on the morning of trial, Defendant terminated Mr. Murphy without warning. Defining proceedings in the presence of Plaintiff and this Court, Defendant initially attempted to replace Mr. Murphy with three new lawyers: Eric Nuff, Tien Yu, and Sabrina Lynn Lambert-Jamila. ECF Nos. 290, 291, 292. Ms. Lambert was not a



10:32 AM · Sep 2, 2025 · 12.9K Views

17 211 449 17

Post your reply

Reply

clerk @clerk841635 · Sep 3



Present: The Honorable STEPHEN V. WILSON, U.S. DISTRICT JUDGE
 Donald Tannece, Courtroom
 Deputy Clerk, Court Reporter / Recorder
 Attorneys Present for Plaintiff: N/A
 Attorneys Present for Defendant: N/A

Proceedings: ORDER TO SHOW CAUSE WHY DEFENDANT PATRICK BYRNE SHOULD NOT BE SANCTIONED OR HELD IN CIVIL CONTEMPT

I. Introduction

The Court hereby orders Patrick Byrne, Defendant, to show cause why additional sanctions should not be entered for failure to comply with discovery, and why Defendant should not be held in civil contempt for violation of multiple court orders.

Before issuing a formal finding of contempt and imposing further sanctions, the Court issues this order to show cause so that Defendant may have notice and an opportunity to be heard on the matter.

II. Background

However, in direct violation of the Court's order from July 30, Defendant has provided neither oral nor physical access to Plaintiff and remains unresponsive to Plaintiff and the Court. See ECF No. 327 ("App.") at 3-4.1. This behavior by Defendant has hindered Plaintiff's attempts to conduct the court-ordered limited discovery. Moreover, at the status conference on August 18, 2025, Defendant again failed to personally appear, in direct violation of the Court's order. ECF No. 326.

III. Discussion

Considering Defendant's pattern of dilatory behavior, failure to comply with discovery, and repeated violations of court orders, the Court now considers further sanctions.

A. Sanctions for Failure to Comply with Discovery

The Federal Rules of Civil Procedure ("FRCP") mandate that all parties comply with discovery. See Fed. R. Civ. P. 37. As such, when a party fails to obey an order to provide or permit discovery, the court where the action is pending may issue further orders, including: (1) directing that designated facts be taken as established for purposes of the action; (2) prohibiting the disobedient party from supporting or opposing designated claims or defenses; (3) striking pleadings in whole or in part; (4) staying further proceedings; (5) dismissing the action in whole or in part; (6) rendering a default judgment against the disobedient party; or (7) treating as contempt of court the failure to obey any order except an order to submit to a physical or mental examination. Fed. R. Civ. P. 37(b)(2)(A).

In the August 7 order, the Court sanctioned Defendant for dilatory conduct at trial by imposing

proceedings. Defendant's lead trial attorney was Michael Murphy. See ECF No. 48. However, on the morning of trial, Defendant summoned Mr. Murphy without warning, delaying proceedings in the eyes of Plaintiff and this Court. Defendant initially attempted to replace Mr. Murphy with their new lawyer, Eric Neff, Tom Yu, and Stefano Lynn Lanthorn-Jamila. ECF Nos. 296, 291, 292. Mr. Lanthorn was not a member of the California bar, and her application to appear pro hoc vice could not be granted due to her recent history of unethical conduct, which gave the Court reason to doubt she would abide by the Court's rules and practices. ECF No. 295. When Defendant learned that Mr. Lanthorn was not qualified to represent him in this case, Defendant also summoned Mr. Neff and Mr. Yu to remove themselves. ECF No. 311.

Moreover, Defendant himself, new unrepresented, failed to appear at trial. Accordingly, the Court itself is ordered to show cause why it should not enter default judgment and enter the parties to return the next day. As then hearing, on July 30, 2025, Defendant again failed to appear. Mr. Yu, who was not authorized to represent Defendant at trial, argued on Defendant's behalf for a continuance, in lieu of default judgment. See ECF No. 307. After hearing arguments, the Court weighed relevant public interest factors, declined to issue default judgment, and instead allowed a continuance until October 16, 2025, so that Defendant could return counsel. *Id.* Moreover, as a sanction for Defendant's conduct, the Court required limited discovery to allow Plaintiff to investigate Defendant's financial condition and correspondingly ordered Defendant to (1) provide Plaintiff with an email address for electronic service or a physical address for mail or overnight delivery service of documents, and (2) respond to any written discovery requests from Plaintiff within fourteen days. *Id.* Furthermore, on August 16, 2025, the Court set a status conference for August 18, 2025, and ordered Defendant to appear personally. ECF No. 308. To ensure Defendant had actual notice, the Court sent copies of the show cause order to Defendant's counsel,

promptly designating itself or rendering a default judgment against Defendant. In defiance to Defendant, this Court offers him an opportunity to show cause why the Court should not promptly take such action.

B. Civil Contempt for Violation of Court Orders

It is well-established that "courts have inherent power to enforce compliance with their lawful orders through civil contempt." *Spokane v. United States*, 443 U.S. 269, 276 (1980) (quoting *Willison v. United States*, 384 U.S. 364, 370 (1966)). The contempt power is necessary to protect a court's ability to govern the disruption of its proceedings and to enable it to enforce its judgments and orders. *Young v. United States*, 443 U.S. 307, 308 (1980). As such, a party may be held in civil contempt when it "[fai]ls to take all reasonable steps within [its] power to comply with a specific and definite court order." *Id.* (quoting *In re Dyer*, 200 F.2d 1000, 1001 (9th Cir. 1953)).

The distinction between civil and criminal contempt looks to the "character and purpose" of the sanction imposed. *Gregory v. Shel's Sons & Range Co.*, 221 U.S. 438, 440 (1911); *Levy v. Ford Motor Co.*, 399 F.2d 1101, 1110 (9th Cir. 2005). Criminal contempt is punitive and is imposed to "vindicate the authority of the court." *Gregory*, 221 U.S. at 440. In contrast, civil contempt has a remedial purpose. *Id.* Unlike criminal contempt, civil contempt contains no willfulness requirement. *McCool v. Jacksonville Paper Co.*, 336 U.S. 187, 191 (1960). Moreover, a finding of civil contempt must be supported by clear and convincing evidence. *In re Dyer*, 200 F.2d 1000, 1001 (9th Cir. 1953).

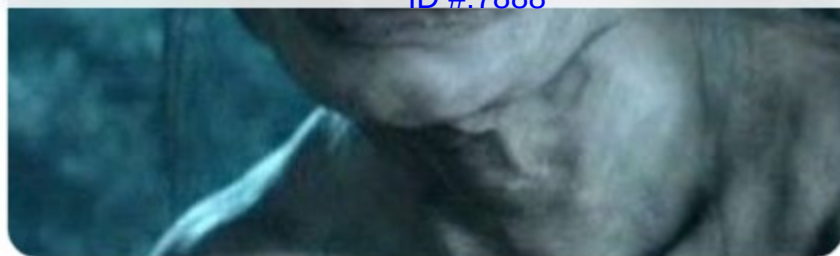
Defendant Byrne appears to have failed to take all reasonable steps within his power to comply with two specific and definite orders issued by this court. First, Defendant—after receiving all his attorneys without warning on the day of trial—failed to comply, despite notice, with an order for sanctions

Patrick Byrne

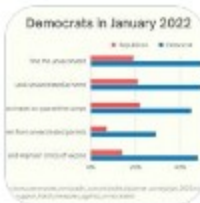
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EXHIBIT I

(September 3, 2025 comment
and tag of @PatrickByrne)



Kevin Bass PhD MS @kevinnbass · Sep 1



Just three years ago, 30% of Democrats believed that children should be taken away from unvaccinated parents.

Nearly 50% of Democrats believed that the ...

49

294

842

28K

...

clerk

@clerk841635

Present The Honorable STEPHEN V. WILSON, U.S. DISTRICT JUDGE

Deputy Clerk Court Reporter / Recorder

Attorneys Present for Plaintiff Attorneys Present for Defendant:

N/A N/A

Proceedings: ORDER TO SHOW CAUSE WHY DEFENDANT PATRICK BYRNE SHOULD NOT BE SANCTIONED OR HELD IN CIVIL CONTEMPT

I. Introduction

The Court hereby orders Patrick Byrne, Defendant, to show cause why additional sanctions should not be entered for failure to comply with discovery, and why Defendant should not be held in civil contempt for violation of multiple court orders.

Before issuing a formal finding of contempt and imposing further sanctions, the Court issues this order to show cause so that Defendant may have notice and an opportunity to be heard on the matter.

II. Background

However, in direct violation of the Court's order from July 30, Defendant has provided neither email nor physical address to Plaintiff and remains unresponsive to Plaintiff and the Court. See ECF No. 327 ("App'") at 3-9-11. This behavior by Defendant has frustrated Plaintiff's attempts to conduct the court-ordered limited discovery. Moreover, at the status conference on August 14, 2025, Defendant again failed to personally appear, in direct violation of the Court's order. ECF No. 326.

III. Discussion

Considering Defendant's pattern of dilatory behavior, failure to comply with discovery, and repeated violations of court orders, the Court now considers further sanctions.

A. Sanctions for Failure to Comply with Discovery

The Federal Rules of Civil Procedure ("FRCP") mandate that all parties comply with discovery. See Fed. R. Civ. P. 37. As such, when a party fails to obey an order to provide or permit discovery, the court where the action is pending may issue further orders, including: (1) directing that designated facts be taken as established for purposes of the action; (2) prohibiting the disobedient party from supporting or opposing designated claims or defenses; (3) striking pleadings in whole or in part; (4) staying further proceedings; (5) dismissing the action in whole or in part; (6) rendering a default judgment against the disobedient party; or (7) treating as contempt of court the failure to obey any order except an order to submit to a physical or mental examination. Fed. R. Civ. P. 37(b)(2)(A).

In the August 5 order, this Court sanctioned Defendant for dilatory conduct at trial by requiring

proceedings, Defendant's lead trial attorney was Michael Murphy. See ECF No. 48. However, on the morning of trial, Defendant terminated Mr. Murphy without warning, delaying proceedings at the expense of Plaintiff and this Court. Defendant initially attempted to replace Mr. Murphy with three new lawyers: Eric Neff, Tara Yu, and Nicholas Lynn Lumbert-Jacobs. ECF No. 290, 291, 292. Mr. Lumbert was not a member of the California Bar, and his application to appear pro hoc vice could not be granted due to his recent history of unethical conduct, which gave the Court reason to doubt he would abide by the Court's rules and practices. ECF No. 295. When Defendant learned that Mr. Lumbert was not qualified to represent him in this case, Defendant also instructed Mr. Neff and Mr. Yu to remove themselves. ECF No. 311.

Moreover, Defendant himself, now unrepresented, failed to appear at trial. Accordingly, the Court issued an order to show cause why it should not enter default judgment and ordered the parties to return the next day. At that hearing, on July 30, 2025, Defendant again failed to appear. Mr. Yu, who was not authorized to represent Defendant at trial, argued on Defendant's behalf for a continuance, in lieu of default judgment. See ECF No. 307. After hearing arguments, the Court weighed relevant public interest factors, declined to issue default judgment, and instead allowed a continuance until October 14, 2025, so that Defendant could retain counsel. *Id.* Moreover, in a sanction for Defendant's conduct, the Court ordered limited discovery to allow Plaintiff to investigate Defendant's financial condition and correspondingly ordered Defendant to (1) provide Plaintiff with an email address for electronic service at a physical address for mail or overnight delivery service of documents, and (2) respond to any written discovery requests from Plaintiff within fourteen days. *Id.* Furthermore, on August 14, 2025, the Court set a status conference for August 14, 2025, and ordered Defendant to appear personally. ECF No. 316. To ensure Defendant had actual notice, the Court sent copies of the above orders to Defendant's current, positive damages award" or rendering a default judgment against Defendant. In addition to Defendant, this Court offers him an opportunity to show cause why the Court should not promptly take such action.

B. Civil Contempt for Violation of Court Orders

It is well established that "courts have inherent power to enforce compliance with their lawful orders through civil contempt." *Spokane v. United States*, 493 U.S. 365, 376 (1990) (quoting *United States v. United States*, 384 U.S. 394, 395 (1966)). The contempt power is necessary to protect a court's ability to prevent the disruption of its proceedings and to enable it to enforce its judgments and orders. *Fowle v. United States*, 481 U.S. 787, 798 (1987). As such, a party may be held in civil contempt when it "fail[ed] to take all reasonable steps within [its] power to comply [with a specific and definite court order]." *Id.* (quoting *In re Duck-Donk Video Cassette Recorder Antitrust Litig.*, 10 F.3d 493, 495 (9th Cir. 1993)).

The distinction between civil and criminal contempt looks to the "character and purpose" of the sanction imposed. *Quinn v. Reed & Rupp Co.*, 223 U.S. 419, 441 (1911); *Lester v. Ford Motor Co.*, 399 F.2d 1101, 1110 (9th Cir. 2003). Criminal contempt is punitive and is imposed to "vindicate the authority of the court." *Quinn*, 223 U.S. at 441. In contrast, civil contempt has a remedial purpose. *Id.* Unlike criminal contempt, civil contempt contains no willfulness requirement. *McCook v. Jacksonville Paper Co.*, 336 U.S. 187, 191 (1949). However, a finding of civil contempt must be supported by clear and convincing evidence. *In re Dyer*, 32 F.3d 1176, 1180-81 (9th Cir. 2005).

Defendant Byrne appears to have failed to take all reasonable steps within his power to comply with two specific and definite orders issued by this court. First, Defendant—after terminating all his attorneys without warning on the day of trial—failed to comply, despite notice, with an order for sanctions

Patrick Byrne

EXHIBIT J

(September 3, 2025 comment
and tag of @PatrickByrne)

Post

Reply

+



Patrick Byrne @PatrickByrne · Sep 1

Pete has finished his homework assignment and you can expect me to be on this week.

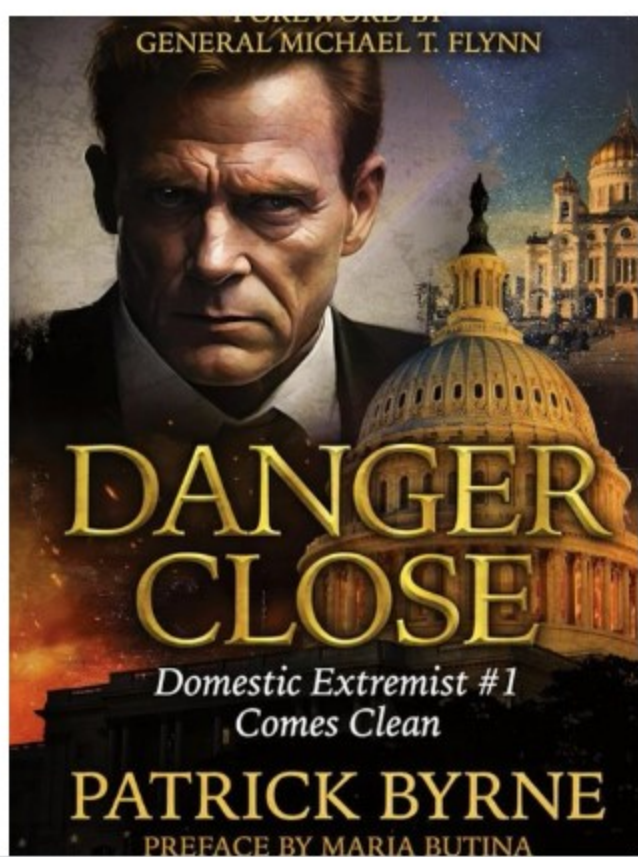
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Pete Santilli @petersantilli · Sep 1

Just finished reading Patrick Byrne's "DANGER CLOSE" book. It was a homework assignment @PatrickByrne gave me in advance of our upcoming interview; which I enthusiastically accepted when he teased that there was some very important information contained in the book which

[Show more](#)



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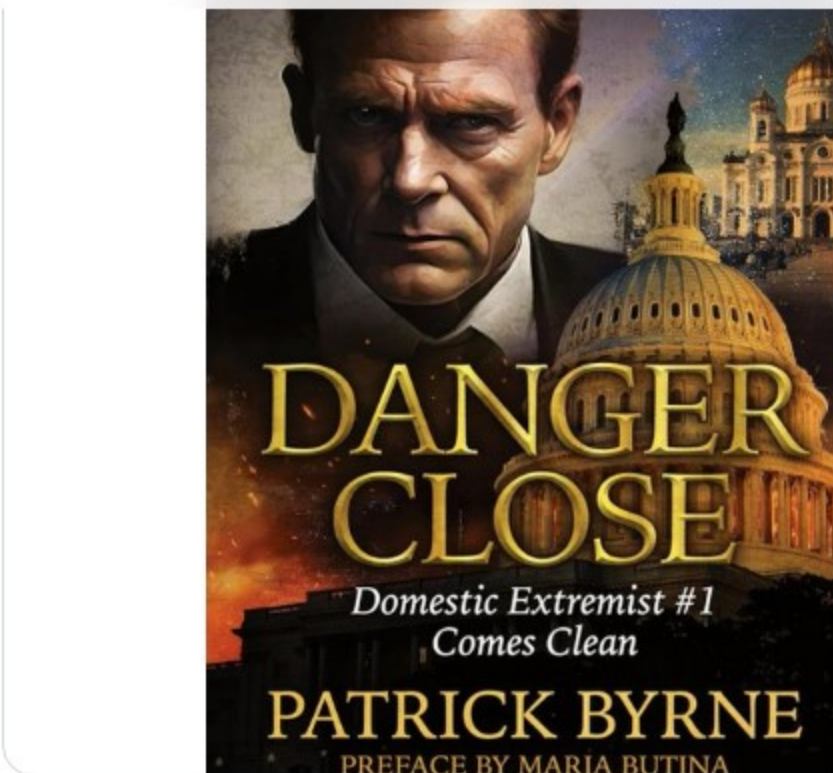
clerk
@clerk841635

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Present: The Honorable STEPHEN V. WILSON, U.S. DISTRICT JUDGE	
Daniel Tameyo Deputy Clerk	Courtroom Court Reporter / Recorder
Attorneys Present for Plaintiff: N/A	Attorneys Present for Defendant: N/A
Proceedings: ORDER TO SHOW CAUSE WHY DEFENDANT PATRICK BYRNE SHOULD NOT BE SANCTIONED OR HELD IN CIVIL CONTEMPT	

proceedings, Defendant's lead trial attorney was Michael Murphy. See ECF No. 48. However, on the morning of trial, Defendant terminated Mr. Murphy without warning, delaying proceedings at the expense of Plaintiff and this Court. Defendant initially attempted to replace Mr. Murphy with three new lawyers: Eric Naff, Tom Yu, and Nicholas Lynn Lanthorn. ECF Nos. 290, 291, 292. Mr. Lanthorn was not a member of the California Bar, and her applications to appear pro hac vice could not be granted due to her recent history of unethical conduct, which gave the Court reason to doubt the would state by the Court's rules and practices. ECF No. 295. When Defendant learned that Mr. Lanthorn was not qualified to represent him in this case, Defendant also instructed Mr. Naff and Mr. Yu to represent themselves. ECF No. 311.

Moreover, Defendant himself, now unrepresented, failed to appear at trial. Accordingly, the Court issued an order to show cause why it should not enter default judgment and ordered the parties to return the next day. At that hearing, on July 30, 2025, Defendant again failed to appear. Mr. Yu, who was not authorized to represent Defendant at trial, argued on Defendant's behalf for a continuance, in lieu of



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clerk

@clerk841635

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Present The Honorable	STEPHEN V. WILSON, U.S. DISTRICT JUDGE
Deputy Clerk	Courtroom
Deputy Clerk	Court Reporter/Recorder
Attorneys Present for Plaintiff:	Attorneys Present for Defendant:
N/A	N/A

Proceedings: ORDER TO SHOW CAUSE WHY DEFENDANT PATRICK BYRNE SHOULD NOT BE SANCTIONED OR HELD IN CIVIL CONTEMPT

I. Introduction

The Court hereby orders Patrick Byrne, Defendant, to show cause why additional sanctions should not be entered for failure to comply with discovery, and why Defendant should not be held in civil contempt for violation of multiple court orders.

Before issuing a formal finding of contempt and imposing further sanctions, the Court issues this order to show cause so that Defendant may have notice and an opportunity to be heard on the matter.

II. Background

Heretofore, in direct violation of the Court's order from July 10, Defendant has provided neither email nor physical address to Plaintiff and remains unresponsive to Plaintiff and the Court. See ECF No. 327 ("App'l" at 3-4-5). This behavior by Defendant has violated Plaintiff's attempts to conduct the court-ordered limited discovery. Moreover, at the status conference on August 18, 2025, Defendant again failed to personally appear, in direct violation of the Court's order. ECF No. 326.

III. Discussion

Considering Defendant's pattern of dilatory behavior, failure to comply with discovery, and repeated violations of court orders, the Court now considers further sanctions.

A. Sanctions for Failure to Comply with Discovery

The Federal Rules of Civil Procedure ("FRCP") mandate that all parties comply with discovery. See Fed. R. Civ. P. 37. As such, when a party fails to obey an order to provide or permit discovery, the court where the action is pending may issue further orders, including: (1) directing that designated facts be taken as established for purposes of the action; (2) prohibiting the disobedient party from supporting or opposing designated claims or defenses; (3) striking pleadings in whole or in part; (4) staying further proceedings; (5) dismissing the action in whole or in part; (6) rendering a default judgment against the disobedient party; or (7) treating in contempt of court the failure to obey any order except an order to submit to a physical or mental examination. Fed. R. Civ. P. 37(b)(2)(A).

In the August 7 order, the Court sanctioned Defendant for dilatory conduct at trial by requiring

proceedings, Defendant's lead trial attorney was Michael Murphy. See ECF No. 48. However, on the morning of trial, Defendant terminated Mr. Murphy without warning, delaying proceedings at the expense of Plaintiff and this Court. Defendant initially attempted to replace Mr. Murphy with three new lawyers: Eric Nell, Tara Yu, and Barbara Lynn Lambert-Jamila. ECF Nos. 290, 291, 292. Ms. Lambert was not a member of the California Bar, and her application to appear pro hac vice could not be granted due to her recent history of unethical conduct, which gave the Court reason to doubt she would abide by the Court's rules and practices. ECF No. 295. When Defendant learned that Ms. Lambert was not qualified to represent him in this case, Defendant also instructed Mr. Nell and Mr. Yu to remove themselves. ECF No. 311.

Moreover, Defendant himself, now unrepresented, failed to appear at trial. Accordingly, the Court issued an order to show cause why it should not enter default judgment and ordered the parties to return the next day. At that hearing, on July 30, 2025, Defendant again failed to appear. Mr. Yu, who was not authorized to represent Defendant at trial, argued on Defendant's behalf for a continuance, in lieu of default judgment. See ECF No. 317. After hearing arguments, the Court weighed relevant public interest factors, declined to issue default judgment, and instead allowed a continuance until October 14, 2025, as that Defendant could retain counsel. *Id.* Moreover, as a sanction for Defendant's conduct, the Court reopened limited discovery to allow Plaintiff to investigate Defendant's financial condition and correspondingly ordered Defendant to (1) provide Plaintiff with an email address for electronic service as a physical address for mail or overnight delivery service of documents, and (2) respond to any written discovery requests from Plaintiff within fourteen days. *Id.* Furthermore, on August 14, 2025, the Court set a status conference for August 18, 2025, and ordered Defendant to appear personally. ECF No. 316. To ensure Defendant had actual notice, the Court sent copies of the above orders to Defendant's current, positive changes email¹ or ordering a default judgment against Defendant. It follows to Defendant, this Court offers him an opportunity to show cause why the Court should not promptly take such action.

B. Civil Contempt for Violation of Court Orders

It is well established that "courts have inherent power to enforce compliance with their lawful orders through civil contempt." *Spilover v. United States*, 493 U.S. 265, 276 (1990) (quoting *Willard v. United States*, 384 U.S. 384, 370 (1966)). The contempt power is necessary to protect a court's ability to protect the disruption of its proceedings and to enable it to enforce its judgments and orders. *Young v. United States*, 483 U.S. 767, 798 (1987). As such, a party may be held in civil contempt when it "fail[s] to take all reasonable steps within [its] power to comply [with a specific and definite court order]." *Id.* (quoting *In re David, David Video cassette Recorder Antitrust Litig.*, 107 F.3d 483, 485 (9th Cir. 1997)).

The distinction between civil and criminal contempt looks to the "character and purpose" of the sanction imposed. *Gonzalez v. Red & River de Range Co.*, 223 U.S. 418, 441 (1910); *Lewis v. Ford Motor Co.*, 399 F.3d 1101, 1101-098 (9th Cir. 2004). Criminal contempt is punitive and is imposed to "vindicate the authority of the court." *Gonzalez*, 223 U.S. at 441. In contrast, civil contempt has a remedial purpose. *Id.* Unlike criminal contempt, civil contempt contains no willfulness requirement. *McCook v. Jacksonville Paper Co.*, 336 U.S. 187, 191 (1949). However, a finding of civil contempt must be supported by clear and convincing evidence. *In re Dyer*, 32 F.3d 1176, 1180-91 (9th Cir. 2000).

Defendant Byrne appears to have failed to take all reasonable steps within his power to comply with two specific and definite orders issued by this court. First, Defendant—after terminating all his attorneys without warning on the day of trial—failed to comply, despite notice, with an order for sanctions

Patrick Byrne

EXHIBIT K

(September 3, 2025 comment
and tag of @PatrickByrne)

**Patrick Byrne** ✓
@PatrickByrne

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Nothing says, "I stand behind my work" like announcing your Parkinson's diagnosis when asked to testify regarding the commission you ran that held up the country for one presidency.



Mueller Announces Parkinson's Diagnosis, Will Not Testify In Epstein Investigation

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67



324



1K



20



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clerk @clerk841635 · Sep 3



Present: The Honorable	
STEPHEN V. WILSON, U.S. DISTRICT JUDGE	
Daniel Tenejo	Courtroom
Deputy Clerk	Court Reporter / Recorder
Attorneys Present for Plaintiff:	Attorneys Present for Defendant:
N/A	N/A
Proceedings: ORDER TO SHOW CAUSE WHY DEFENDANT PATRICK BYRNE SHOULD NOT BE SANCTIONED FOR BELD IN CIVIL CONTEMPT	
I. Introduction	
The Court hereby orders Patrick Byrne, Defendant, to show cause why additional sanctions should not be entered for failure to comply with discovery, and why Defendant should not be held in civil contempt for violation of multiple court orders.	
Before issuing a formal finding of contempt and imposing further sanctions, the Court issues this order to show cause so that Defendant may have notice and an opportunity to be heard on the matter.	
II. Background	
However, in direct violation of the Court's order from July 30, Defendant has provided neither email nor physical address to Plaintiff and remains unresponsive to Plaintiff and the Court. See ECF No. 127 ("App'l") at 3-4.1. This behavior by Defendant has hindered Plaintiff's attempts to conduct the court-ordered limited discovery. Moreover, at the status conference on August 18, 2025, Defendant again failed to personally appear, in direct violation of the Court's order. ECF No. 128.	
III. Discussion	

proceedings, Defendant's lead trial attorney was Michael Murphy. See ECF No. 48. However, on the morning of trial, Defendant summoned Mr. Murphy without warning, delaying proceedings at the expense of Plaintiff and the Court. Defendant initially attempted to replace Mr. Murphy with three new lawyers: Eric Neff, Tom Yu, and Santiago Lynn Lambert Juarez. ECF Nos. 246, 241, 252. Mr. Lambert was not a member of the California Bar, and his application to appear pro hac vice could not be granted due to his recent history of unethical conduct, which gave the Court reason to doubt the would state by the Court's rules and practices. ECF No. 245. When Defendant learned that Mr. Lambert was not qualified to represent him in this case, Defendant also instructed Mr. Neff and Mr. Yu to remove themselves. ECF No. 311.

Moreover, Defendant himself never represented, failed to appear at trial. Accordingly, the Court issued an order to show cause why it should not enter default judgment and ordered the parties to return the next day. At that hearing, on July 31, 2025, Defendant again failed to appear. Mr. Yu, who was not authorized to represent Defendant at trial, argued on Defendant's behalf for a continuance, in lieu of default judgment. See ECF No. 387. After hearing arguments, the Court weighed relevant public interest factors, declined to issue default judgment, and entered a continuance until October 19, 2025, so that Defendant could state counsel. *Id.* Moreover, as a sanction for Defendant's conduct, the Court required limited discovery to allow Plaintiff to investigate Defendant's financial condition and correspondingly ordered Defendant to (1) provide Plaintiff with an email address for electronic service or a physical address for mail or overnight delivery service of documents, and (2) respond to any written discovery requests from Plaintiff within ten business days. *Id.* Furthermore, on August 18, 2025, the Court set a status conference for August 18, 2025, and ordered Defendant to appear personally. ECF No. 128. To ensure Defendant had actual notice, the Court sent copies of the above orders to Defendant's current, past, and former email addresses and rendering a default judgment against Defendant. In fairness to Defendant, this Court offers him an opportunity to show cause why the Court should not promptly take such action.

B. Civil Contempt for Violation of Court Orders

It is well-established that "courts have inherent power to enforce compliance with their lawful orders through civil contempt." *Spokane v. United States*, 443 U.S. 269, 276 (1980) (quoting *Shillineau v. United States*, 384 U.S. 364, 370 (1966)). The contempt power is necessary to protect a court's ability to prevent the disruption of its proceedings and to enable it to enforce its judgments and orders. *Young v.*



Mueller Announces Parkinson's Diagnosis, Will Not Testify In Epstein Investigation

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Present: The Honorable: STEPHEN V. WILSON, U.S. DISTRICT JUDGE

Donald Tansley Deputy Clerk	Courtroom
Attorneys Present for Plaintiff:	Court Reporter / Recorder
N/A	Attorneys Present for Defendant:
N/A	N/A

Proceedings: ORDER TO SHOW CAUSE WHY DEFENDANT PATRICK BYRNE SHOULD NOT BE SANCTIONED OR HELD IN CIVIL CONTEMPT

I. Introduction

The Court hereby orders Patrick Byrne, Defendant, to show cause why additional sanctions should not be entered for failure to comply with discovery, and why Defendant should not be held in civil contempt for violation of multiple court orders.

Before issuing a formal finding of contempt and imposing further sanctions, the Court issues this order to show cause so that Defendant may have notice and an opportunity to be heard on the matter.

II. Background

However, in direct violation of the Court's order from July 30, Defendant has provided neither email nor physical address to Plaintiff and remains unresponsive to Plaintiff and the Court. See ECF No. 327 ("App.") at 3-4-11. This behavior by Defendant has frustrated Plaintiff's attempts to conduct the court-ordered limited discovery. Moreover, at the status conference on August 18, 2025, Defendant again failed to personally appear, in direct violation of the Court's order. ECF No. 326.

III. Discussion

Considering Defendant's pattern of dilatory behavior, failure to comply with discovery, and repeated violations of court orders, the Court now considers further sanctions.

A. Sanctions for Failure to Comply with Discovery

The Federal Rules of Civil Procedure ("FRCP") mandate that all parties comply with discovery. See Fed. R. Civ. P. 37. As such, when a party fails to obey an order to provide or permit discovery, the court where the action is pending may issue further orders, including: (1) directing that designated facts be taken as established for purposes of the action, (2) prohibiting the disobedient party from supporting or opposing designated claims or defenses, (3) striking pleadings in whole or in part, (4) staying further proceedings, (5) dismissing the action in whole or in part, (6) entering a default judgment against the disobedient party, or (7) treating as contempt of court the failure to obey any order except an order to submit to a physical or mental examination. Fed. R. Civ. P. 37(b)(2)(A).

In the August 5 order, the Court sanctioned Defendant for dilatory conduct at trial by suspending

proceedings, Defendant's lead trial attorney was Michael Murphy. See ECF No. 48. However, on the morning of trial, Defendant terminated Mr. Murphy without warning, delaying proceedings at the expense of Plaintiff and this Court. Defendant initially attempted to replace Mr. Murphy with three new lawyers: Eric Neff, Tom Yu, and Stefano Lynn Lambert Jurella. ECF Nos. 290, 291, 292. Mr. Lambert was not a member of the California Bar, and his application to appear pro hac vice could not be granted due to his recent history of unethical conduct, which gave the Court reason to doubt the would debt by the Court's rules and practices. ECF No. 295. When Defendant learned that Mr. Lambert was not qualified to represent him in this case, Defendant also instructed Mr. Neff and Mr. Yu to remove themselves. ECF No. 311.

Moreover, Defendant himself, now unrepresented, failed to appear at trial. Accordingly, the Court issued an order to show cause why it should not enter default judgment and ordered the parties to return the next day. At that hearing, on July 30, 2025, Defendant again failed to appear. Mr. Yu, who was not authorized to represent Defendant at trial, argued on Defendant's behalf for a continuance, in lieu of default judgment. See ECF No. 307. After hearing arguments, the Court weighed relevant public interest factors, declined to issue default judgment, and instead allowed a continuance until October 14, 2025, so that Defendant could retain counsel. *Id.* Moreover, as a sanction for Defendant's conduct, the Court imposed limited discovery to allow Plaintiff to investigate Defendant's financial conduct and correspondingly ordered Defendant to (1) provide Plaintiff with an email address for electronic service at a physical address for mail and in-person delivery service of documents, and (2) respond to any written discovery requests from Plaintiff within business days. *Id.* Furthermore, on August 18, 2025, the Court set a status conference for August 18, 2025, and ordered Defendant to appear personally. ECF No. 326. To ensure Defendant had actual notice, the Court sent copies of the above order to Defendant's counsel, pursuant to its order, or rendering a default judgment against Defendant. In defiance to Defendant, this Court offers him an opportunity to show cause why the Court should not promptly take such action.

B. Civil Contempt for Violation of Court Orders

It is well established that "courts have inherent power to enforce compliance with their lawful orders through civil contempt." *Spokane v. United States*, 481 U.S. 260, 276 (1986) (quoting *Hollman v. United States*, 384 U.S. 364, 370 (1966)). The contempt power is necessary to protect a court's ability to preserve the disruption of its proceedings and to enable it to enforce its judgments and orders. *Young v. United States*, 481 U.S. 367, 368 (1987). As such, a party may be held in civil contempt when it "fail[ed] to take all reasonable steps within [its] power to comply with a specific and definite court order." *Al. Sporting Inc. v. Bud. Buck Video Casino Recorder Network Ltd.*, 10 F.3d 693, 695 (9th Cir. 1993).

The distinction between civil and criminal contempt looks to the "character and purpose" of the sanction imposed. *Compton v. Shell's Bore & Range Co.*, 321 U.S. 419, 440 (1943); *Case v. Ford Motor Co.*, 391 F.2d 1191, 1110 (9th Cir. 2005). Criminal contempt is punitive and is imposed to "vindicate the authority of the court." *Compton*, 321 U.S. at 441. In contrast, civil contempt has a remedial purpose. *Al. Civil contempt sanctions, civil contempt cannot be willful or intentional.* *McCain v. McCain Foods Paper Co.*, 330 U.S. 187, 191 (1948). However, a finding of civil contempt may be supported by clear and convincing evidence. *In re Durr*, 32 F.3d 1176, 1180-91 (9th Cir. 2005).

Defendant Byrne appears to have failed to take all reasonable steps within his power to comply with two specific and definite orders issued by this court. First, Defendant orally terminating all his attorneys without warning on the day of trial—failed to comply, despite notice, with an order for sanctions

Patrick Byrne

4

EXHIBIT L

(September 3, 2025 comment
and tag of @PatrickByrne)



Patrick Byrne @PatrickByrne · Aug 31



Correct. In the name of, "protecting democracy."



Sean Davis @seanmdav · Aug 31

Which can only mean one thing: the leaders of those parties are about to get arrested by the governments of the U.K., France, and Germany.
x.com/TheInsiderPape...

12

38

146

14K



clerk
 @clerk841635



Present: The Honorable STEPHEN V. WILSON, U.S. DISTRICT JUDGE

David Tanase Deputy Clerk	Courtroom Court Reporter / Recorder
Attorneys Present for Plaintiff: N/A	Attorneys Present for Defendant: N/A

Proceedings: ORDER TO SHOW CAUSE WHY DEFENDANT PATRICK BYRNE SHOULD NOT BE SANCTIONED OR HELD IN CIVIL CONTEMPT

I. Introduction

The Court hereby orders Patrick Byrne, Defendant, to show cause why additional sanctions should not be entered for failure to comply with discovery, and why Defendant should not be held in civil contempt for violation of multiple court orders.

Before issuing a formal finding of contempt and imposing further sanctions, the Court issues this order to show cause so that Defendant may have notice and an opportunity to be heard on the matter.

II. Background

However, to direct violation of the Court's order from July 30, Defendant has provided neither email nor physical address to Plaintiff and remains unresponsive to Plaintiff and the Court. See ECF No. 327 ("Appl.") at 7-8-11. This behavior by Defendant has frustrated Plaintiff's attempts to conduct the court-ordered limited discovery. Moreover, at the status conference on August 18, 2025, Defendant again failed to personally appear, in direct violation of the Court's order. ECF No. 326.

III. Discussion

Considering Defendant's pattern of dilatory behavior, failure to comply with discovery, and repeated violations of court orders, the Court now considers further sanctions.

A. Sanctions for Failure to Comply with Discovery

The Federal Rules of Civil Procedure ("FRCP") mandate that all parties comply with discovery. See Fed. R. Civ. P. 37. As such, when a party fails to obey an order to provide or permit discovery, the court where the action is pending may issue further orders, including: (1) directing that designated facts be taken as established for purposes of the action; (2) prohibiting the disobedient party from supporting or opposing designated claims or defenses; (3) striking pleadings in whole or in part; (4) staying further proceedings; (5) dismissing the action in whole or in part; (6) rendering a default judgment against the disobedient party; or (7) treating as contempt of court the failure to obey any order except an order to disclose to a physical or mental examination. Fed. R. Civ. P. 37(d)(2)(A).

In the August 5 order, this Court sanctioned Defendant for dilatory conduct at trial by sequestering

proceedings, Defendant's lead trial attorney was Michael Murphy. See ECF No. 48. However, on the morning of trial, Defendant terminated Mr. Murphy without warning, deferring proceedings at the expense of Plaintiff and this Court. Defendant initially attempted to replace Mr. Murphy with three new lawyers: Eric Neff, Tom Yu, and Stefano Lynn Lambert Jaramila. ECF Nos. 280, 281, 282. Mr. Lambert was not a member of the California Bar, and his application to appear pro hac vice could not be granted due to her recent history of unethical conduct, which gave the Court reason to doubt she would abide by the Court's rules and practices. ECF No. 285. When Defendant learned that Mr. Lambert was not qualified to represent him in this case, Defendant also instructed Mr. Neff and Mr. Yu to remove themselves. ECF No. 311.

Moreover, Defendant himself, new unrepresented, failed to appear at trial. Accordingly, the Court issued an order to show cause why it should not enter default judgment and ordered the parties to return the next day. At that hearing, on July 30, 2025, Defendant again failed to appear. Mr. Yu, who was not authorized to represent Defendant at trial, argued on Defendant's behalf for a continuance, in lieu of default judgment. See ECF No. 307. After hearing arguments, the Court weighed relevant public interest factors, declined to issue default judgment, and instead allowed a continuance until October 14, 2025, so that Defendant could return counsel. *Id.* Moreover, as a sanction for Defendant's conduct, the Court suspended limited discovery to allow Plaintiff to investigate Defendant's financial condition, and correspondingly ordered Defendant to (1) provide Plaintiff with an email address for electronic service at a physical address for mail or overnight delivery service of documents, and (2) respond to any written discovery requests from Plaintiff within fourteen days. *Id.* Furthermore, on August 18, 2025, the Court set a status conference for August 18, 2025, and ordered Defendant to appear personally. ECF No. 316. To ensure Defendant had actual notice, the Court sent copies of the above orders to Defendant's current, positive damages award² or rendering a default judgment against Defendant. In fairness to Defendant, this Court offers him an opportunity to show cause why the Court should not promptly take such action.

B. Civil Contempt for Violation of Court Orders

It is well-established that "courts have inherent power to enforce compliance with their local orders through civil contempt." *Spivey v. United States*, 493 U.S. 265, 276 (1990) (quoting *Shelton v. United States*, 384 U.S. 364, 370 (1966)). The contempt power is necessary to protect a court's ability to prevent the disruption of its proceedings and to enable it to enforce its judgments and orders. *Young v. United States*, 481 U.S. 787, 798 (1987). As such, a party may be held in civil contempt when a "[t]ruly to take all reasonable steps within [its] power to comply [with a specific and definite court order]." *Id.* (quoting *In re Dean*, 386 U.S. 357, 360 (1967)).

The distinction between civil and criminal contempt looks to the "character and purpose" of the sanction imposed. *Gonzalez v. Bock & Bock Co.*, 223 U.S. 418, 441 (1911); *Exxon v. Ford Motor Co.*, 399 F.2d 1110, 1119 (9th Cir. 2001). Criminal contempt is punitive and is imposed to "vindicate the authority of the court." *Gonzalez*, 223 U.S. at 441. In contrast, civil contempt has a remedial purpose. *Id.* Unlike criminal contempt, civil contempt contains no willfulness requirement. *Re Cook v. Jacksonville Paper Co.*, 136 U.S. 187, 191 (1890). However, a finding of civil contempt must be supported by clear and convincing evidence. *In re Dyer*, 12 F.3d 1176, 1180-81 (8th Cir. 2006).

Defendant Byrne appears to have failed to take all reasonable steps within his power to comply with two specific and definite orders issued by the court. First, Defendant—after receiving all his attorneys without warning on the day of trial—failed to comply, despite notice, with an order for sanctions

Patrick Byrne

EXHIBIT M

(September 3, 2025 comment
and tag of @PatrickByrne)



Patrick Byrne
@PatrickByrne

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2012-2019 I grew increasingly dismayed at what B.A. represented. Over those years undergrads turned to dogshit intellectually, practiced only at regurgitating bromides and saying, "I don't feel safe". Zero analytic skills.



AI Found To Increasingly Replace Young Entry-Level Workers, Stanford Research Shows

From zerohedge.com

10:56 AM · Aug 30, 2025 · 6,028 Views



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clerk @clerk841635 · Sep 3



Present: The Honorable STEPHEN V. WILSON, U.S. DISTRICT JUDGE	
David Tamara Deputy Clerk	Courtroom
Attorneys Present for Plaintiff	Court Reporter / Recorder
N/A	Attorneys Present for Defendant
	N/A

Proceedings: ORDER TO SHOW CAUSE WHY DEFENDANT PATRICK BYRNE SHOULD NOT BE SANCTIONED OR HELD IN CIVIL CONTEMPT

I. Introduction

The Court hereby orders Patrick Byrne, Defendant, to show cause why additional sanctions should not be entered for failure to comply with discovery, and why Defendant should not be held in civil contempt for violation of multiple court orders.

Before issuing a formal finding of contempt and imposing further sanctions, the Court issues this order to show cause so that Defendant may have notice and an opportunity to be heard on the matter.

II. Background

However, in direct violation of the Court's order from July 30, Defendant has provided neither actual nor physical address to Plaintiff and remains unresponsive to Plaintiff and the Court. See ECF No. 327 ("App.") at 3-9-11. This has led to Defendant's continued attempts to conduct the court-ordered limited discovery. Moreover, at the status conference on August 18, 2025, Defendant again failed to personally appear, in direct violation of the Court's order. ECF No. 326.

III. Discussion

proceedings, Defendant's lead trial attorney was Michael Murphy. See ECF No. 48. However, on the morning of trial, Defendant terminated Mr. Murphy without warning, delaying proceedings at the expense of Plaintiff and this Court. Defendant initially attempted to replace Mr. Murphy with three new lawyers: Eric Neff, Tom Yu, and Stefano Lynn Lambertson. ECF No. 290, 291, 292. Mr. Lambertson was not a member of the California Bar, and her application to appear pro hac vice could not be granted due to her recent history of unethical conduct, which gave the Court reason to doubt she would abide by the Court's rules and practices. ECF No. 295. When Defendant learned that Mr. Lambertson was not qualified to represent him in this case, Defendant also terminated Mr. Neff and Mr. Yu to remove themselves. ECF No. 311.

Moreover, Defendant himself has repeatedly failed to appear at trial. Accordingly, the Court issued an order to show cause why it should not enter default judgment and extend the parties to submit the next day. At the hearing, on July 30, 2025, Defendant again failed to appear. Mr. Yu, who was not authorized to represent Defendant at trial, argued on Defendant's behalf for a continuance, in lieu of default judgment. See ECF No. 397. After hearing arguments, the Court weighed relevant public interest factors, defined to issue default judgment, and entered a continuance and October 14, 2025, so that Defendant could return to court. *Id.* Moreover, as a sanction for Defendant's conduct, the Court required limited discovery to allow Plaintiff to investigate Defendant's financial condition and correspondingly ordered Defendant to (1) provide Plaintiff with an email address for electronic service at a physical address for mail or overnight delivery service of documents, and (2) respond to any written discovery requests from Plaintiff within fourteen days. *Id.* Furthermore, on August 18, 2025, the Court set a status conference for August 18, 2025, and ordered Defendant to appear personally. ECF No. 326. To ensure Defendant had actual notice, the Court sent copies of the above orders to Defendant's current, past, and former email addresses.

By failing to appear at trial or rendering a default judgment against Defendant, in defiance to Defendant, this Court offers him an opportunity to show cause why the Court should not promptly take such action.

B. Civil Contempt for Violation of Court Orders

It is well-established that "courts have inherent power to enforce compliance with their lawful orders through civil contempt." *Spokane v. United States*, 443 U.S. 265, 279 (1980) (quoting *Hollman v. United States*, 384 U.S. 364, 370 (1966)). The contempt power is necessary to protect a court's ability to preserve the disruption of its proceedings and to enable it to enforce its judgments and orders. *Boyd v.*



AI Found To Increasingly Replace Young Entry-Level Workers, Stanford Research Shows

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clerk @clerk841635 · Sep 3

Patrick Byrne

ORDER TO SHOW CAUSE WHY DEFENDANT PATRICK BYRNE SHOULD NOT BE SANCTIONED FOR VIOLATION OF CIVIL CONTEMPT

I. Introduction

The Court hereby orders Patrick Byrne, Defendant, to show cause why additional sanctions should not be imposed for failure to comply with discovery, and why Defendant should not be held in civil contempt for violation of multiple court orders.

Before issuing a formal finding of contempt and imposing further sanctions, the Court issues this order to show cause so that Defendant may have notice and an opportunity to be heard on the matter.

II. Background

However, in direct violation of the Court's order from July 30, Defendant has provided neither email nor physical address to Plaintiff and remains unresponsive to Plaintiff and the Court. See ECF No. 327 ("Appl.") and 334-1. This behavior by Defendant has hindered Plaintiff's attempts to conduct the court-ordered limited discovery. Moreover, at the status conference on August 18, 2025, Defendant again failed to personally appear, in direct violation of the Court's order. ECF No. 336.

III. Discussion

Considering Defendant's pattern of dilatory behavior, failure to comply with discovery, and repeated violations of court orders, the Court now sanctions further sanctions.

A. Sanctions for Failure to Comply with Discovery

The Federal Rules of Civil Procedure ("FRCP") mandate that all parties comply with discovery. See Fed. R. Civ. P. 37. As such, when a party fails to obey an order to provide or permit discovery, the court where the action is pending may issue further orders, including: (1) directing that designated facts be taken as established for purposes of the action; (2) prohibiting the disobedient party from supporting or opposing designated claims or defenses; (3) striking pleadings in whole or in part; (4) staying further proceedings; (5) dismissing the action in whole or in part; (6) rendering a default judgment against the disobedient party; or (7) treating as contempt of court the failure to obey any order except an order to submit to a physical or mental examination. Fed. R. Civ. P. 37(b)(2)(A).

In the August 1 order, the Court sanctioned Defendant for dilatory conduct at trial by suspending

proceedings, Defendant's lead trial attorney was Michael Murphy. See ECF No. 68. However, on the morning of trial, Defendant terminated Mr. Murphy without warning. After proceedings on the expense of Plaintiff and the Court, Defendant initially attempted to replace Mr. Murphy with three new lawyers: Eric Nelt, Tom Yu, and Stefano Lynn Lambert Jaramila. ECF Nos. 298, 299, 302. Mr. Lambert was not a member of the California Bar, and his application to appear pro hac vice could not be granted due to his recent history of unethical conduct, which gave the Court reason to doubt he would abide by the Court's rules and practices. ECF No. 295. When Defendant learned that Mr. Lambert was not qualified to represent him in this case, Defendant also terminated Mr. Nelt and Mr. Yu to remove themselves. ECF No. 301.

Moreover, Defendant himself, now unrepresented, failed to appear at trial. Accordingly, the Court issued an order to show cause why it should not enter default judgment and ordered the parties to return the next day. At that hearing, on July 30, 2025, Defendant again failed to appear. Mr. Yu, who was not authorized to represent Defendant at trial, argued on Defendant's behalf for a continuance, in lieu of default judgment. See ECF No. 307. After hearing arguments, the Court weighed relevant public interest factors, declined to issue default judgment, and instead allowed a continuance until October 16, 2025, so that Defendant could retain counsel. *Id.* Moreover, as a sanction for Defendant's conduct, the Court imposed limited discovery to allow Plaintiff to investigate Defendant's financial condition and correspondingly ordered Defendant to (1) provide Plaintiff with an email address for electronic service as a physical address for trial or overnight delivery service of documents, and (2) respond to any written discovery requests from Plaintiff within business days. *Id.* Furthermore, on August 18, 2025, the Court set a status conference for August 18, 2025, and ordered Defendant to appear personally. ECF No. 336. To ensure Defendant had actual notice, the Court sent copies of the above orders to Defendant's current, previous counsel, email, or rendering a default judgment against Defendant. In addition to Defendant, this Court often has an opportunity to show cause why the Court should not promptly take such action.

B. Civil Contempt for Violation of Court Orders

It is well-established that " Courts have inherent power to enforce compliance with their lawful orders through civil contempt." *Spokane v. United States*, 443 U.S. 265, 274 (1980) (quoting *Shillineau v. United States*, 384 U.S. 344, 370 (1966)). The contempt power is necessary to protect a court's ability to govern the disruption of its proceedings and to enable it to enforce its judgments and orders. *Young v. United States*, 481 U.S. 787, 798 (1987). As such, a party may be held in civil contempt when it "fail[s] to take all reasonable steps within [its] power to comply [with a specific, and definite court order]." *Id.* (quoting *In re Dial*, 534 F.2d 1176, 1180-91 (9th Cir. 1976)).

The distinction between civil and criminal contempt looks to the "character and purpose" of the sanction imposed. *Compton v. Shell's Bore & Range Co.*, 221 U.S. 410, 440 (1911); *Lease v. Ford Motor Co.*, 399 U.S. 161, 110 (1968) (Ct. 2005). Criminal contempt is punitive and is imposed to "vindicate the authority of the court." *Compton*, 221 U.S. at 441. In contrast, civil contempt has a remedial purpose. *Id.* Unlike criminal contempt, civil contempt orders are willfulness requirements. *Id.* (quoting *Lease v. Ford Motor Co.*, 399 U.S. 161, 191 (1968)). However, a finding of civil contempt must be supported by clear and convincing evidence. *In re Dial*, 534 F.2d 1176, 1180-91 (9th Cir. 1976).

Defendant Byrne appears to have failed to take all reasonable steps within his power to comply with two specific and definite orders issued by this court. First, Defendant—after terminating all his attorneys without warning on the day of trial—failed to comply, despite notice, with an order for sanctions

Patrick Byrne

21 53 149 4

EXHIBIT N

(September 3, 2025 comment
and tag of @PatrickByrne)

**Patrick Byrne** @PatrickByrne · Aug 30

Aren't we tired of this? There's a gay guy inside the DOJ who writes plays about gay men closeted together. More power to him.

But now he's doubling down on defending the most unjust DOJ prosecutions in living memory.

NEWSFLASH: The J6 protesters turned out to be correct!

**LindellTV** @RealLindellTV · Aug 29

DOJ moves to dismiss the \$100M Proud Boys lawsuit



DIRTY DOJ EXPOSE!!! We name names!!

DOJ attorney Siegmund F. Fuchs just filed paperwork to kill the case ...

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**Cara Castronuova**
White House Correspondent

22

161

385

12K

**clerk**
@clerk841635

Present: The Honorable STEPHEN V. WILSON, U.S. DISTRICT JUDGE	
Daniel Tanaya Deputy Clerk	Courtroom Court Reporter / Recorder
Attorneys Present for Plaintiff:	Attorneys Present for Defendant:
N/A	N/A
Proceedings: ORDER TO SHOW CAUSE WHY DEFENDANT PATRICK BYRNE SHOULD NOT BE SANCTIONED OR HELD IN CIVIL CONTEMPT	
I. Introduction	
The Court hereby orders Patrick Byrne, Defendant, to show cause why additional sanctions should not be entered for failure to comply with discovery, and why Defendant should not be held in civil contempt for violation of multiple court orders.	

proceedings, Defendant's lead trial attorney was Michael Murphy. See ECF No. 48. However, on the morning of trial, Defendant terminated Mr. Murphy without warning, delaying proceedings at the expense of Plaintiff and this Court. Defendant initially attempted to replace Mr. Murphy with three new lawyers: Eric Neff, Tom Yis, and Barbara Lynn Lumbert-Jacobs. ECF Nos. 240, 241, 242. Mr. Lumbert was not a member of the California Bar, and her application to appear pro-his vice could not be granted due to her recent history of unethical conduct, which gave the Court reason to doubt she would abide by the Court's rules and practices. ECF No. 245. When Defendant learned that Mr. Lumbert was not qualified to represent him in this case, Defendant also instructed Mr. Neff and Mr. Yis to remove themselves. ECF No. 244.

Moreover, Defendant himself, now unrepresented, failed to appear at trial. Accordingly, the Court issued an order to show cause why it should not enter default judgment and ordered the parties to return the next day. At that hearing, on July 30, 2025, Defendant again failed to appear. Mr. Yis, who was not authorized to represent Defendant at trial, argued on Defendant's behalf for a continuance, in lieu of default judgment. See ECF No. 307. After hearing arguments, the Court weighed relevant public interest factors, declined to issue default judgment, and instead allowed a continuance until October 14, 2025, so that Defendant could retain counsel. *Id.* Moreover, as a sanction for Defendant's conduct, the Court suspended limited discovery to allow Plaintiff to investigate Defendant's financial condition and



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@clerk841635

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Present: The Honorable STEPHEN V. WILSON, U.S. DISTRICT JUDGE	
David Tansley Deputy Clerk	Courtroom Court Reporter / Recorder
Attorneys Present for Plaintiff: N/A	Attorneys Present for Defendant: N/A

Proceedings: ORDER TO SHOW CAUSE WHY DEFENDANT PATRICK BYRNE SHOULD NOT BE SANCTIONED OR HELD IN CIVIL CONTEMPT

I. Introduction

The Court hereby orders Patrick Byrne, Defendant, to show cause why additional sanctions should not be entered for failure to comply with discovery, and why Defendant should not be held in civil contempt for violation of multiple court orders.

Before issuing a formal finding of contempt and imposing further sanctions, the Court issues this order to show cause so that Defendant may have notice and an opportunity to be heard on the matter.

II. Background

However, in direct violation of the Court's order from July 30, Defendant has provided neither email nor physical address to Plaintiff and remains unresponsive to Plaintiff and the Court. See ECF No. 327 ("App.") at 3-4-11. This behavior by Defendant has hindered Plaintiff's attempts to conduct the court-ordered limited discovery. Moreover, at the status conference on August 18, 2025, Defendant again failed to personally appear, in direct violation of the Court's order ECF No. 326.

III. Discussion

Considering Defendant's pattern of litigious behavior, failure to comply with discovery, and repeated violations of court orders, the Court now considers further sanctions.

A. Sanctions for Failure to Comply with Discovery

The Federal Rules of Civil Procedure ("FRCP") mandate that all parties comply with discovery. See Fed. R. Civ. P. 37. As such, when a party fails to obey an order to provide or permit discovery, the court where the action is pending may issue further orders, including: (1) directing that designated facts be taken as established for purposes of the action; (2) prohibiting the disobedient party from supporting or opposing designated claims or defenses; (3) striking pleadings in whole or in part; (4) staying further proceedings; (5) dismissing the action in whole or in part; (6) rendering a default judgment against the disobedient party; or (7) treating as contempt of court the failure to obey any order except an order to submit to a physical or mental examination. Fed. R. Civ. P. 37(b)(2)(A).

In the August 5 order, this Court sanctioned Defendant for litigious conduct at trial by requiring

proceedings, Defendant's lead trial attorney was Michael Murphy. See ECF No. 48. However, on the morning of trial, Defendant terminated Mr. Murphy without warning, delaying proceedings at the expense of Plaintiff and this Court. Defendant initially attempted to replace Mr. Murphy with three new lawyers: Eric Neff, Tan Yu, and Stefania Lynn Lambert-Jamila. ECF Nos. 280, 291, 292. Ms. Lambert was not a member of the California Bar, and her application to appear pro hac vice could not be granted due to her recent history of unethical conduct, which gave the Court reason to doubt she would abide by the Court's rules and practices. ECF No. 295. When Defendant learned that Ms. Lambert was not qualified to represent him in this case, Defendant also instructed Mr. Neff and Mr. Yu to remove themselves. ECF No. 311.

Moreover, Defendant himself, now unrepresented, failed to appear at trial. Accordingly, the Court issued an order to show cause why it should not enter default judgment and ordered the parties to return the next day. At that hearing, on July 30, 2025, Defendant again failed to appear. Mr. Yu, who was not authorized to represent Defendant at trial, argued on Defendant's behalf for a continuance, in lieu of default judgment. See ECF No. 307. After hearing arguments, the Court weighed relevant public interest factors, declined to issue default judgment, and instead allowed a continuance until October 14, 2025, so that Defendant could retain counsel. *Id.* Moreover, as a sanction for Defendant's conduct, the Court suspended limited discovery to allow Plaintiff to investigate Defendant's financial condition and correspondingly ordered Defendant to (1) provide Plaintiff with an email address for electronic service or a physical address for mail on overnight delivery service of documents, and (2) respond to any written discovery requests from Plaintiff within fourteen days. *Id.* Furthermore, on August 14, 2025, the Court set a status conference for August 18, 2025, and ordered Defendant to appear personally. ECF No. 318. To ensure Defendant had actual notice, the Court sent copies of the above orders to Defendant's current,

past, and future email addresses and rendering a default judgment against Defendant. In addition to Defendant, this Court offers him an opportunity to show cause why the Court should not promptly take such action.

B. Civil Contempt for Violation of Court Orders

It is well established that "courts have inherent power to enforce compliance with their lawful orders through civil contempt." *Spaworth v. United States*, 493 U.S. 265, 279 (1990) (quoting *Hollman v. United States*, 384 U.S. 364, 370 (1966)). The contempt power is necessary to protect a court's ability to govern the disposition of its proceedings and to enable it to enforce its judgments and orders. *Young v. United States*, 483 U.S. 70, 79 (1987). As such, a party may be held in civil contempt when it "fail[ed] to take all reasonable steps within [its] power to comply [with a specific and definite court order]." *Id.* (quoting *In re David Black Video-Cassette Recorder Antitrust Litig.*, 10 F.3d 693, 695 (9th Cir. 1993)).

The distinction between civil and criminal contempt looks to the "character and purpose" of the sanction imposed. *Gonzalez v. Bed's Store & Range Co.*, 223 U.S. 418, 441 (1910); *Leary v. Ford Motor Co.*, 399 F.2d 1101, 1110 (9th Cir. 2005). Criminal contempt is punitive and is imposed to "vindicate the authority of the court." *Gonzalez*, 223 U.S. at 441. In contrast, civil contempt has a remedial purpose. *Id.* Unlike criminal contempt, civil contempt continues so long as non-compliance persists. *McCook v. Jacksonville Paper Co.*, 336 U.S. 187, 191 (1949). However, a finding of civil contempt must be supported by clear and convincing evidence. *In re Dyer*, 512 F.3d 1176, 1180-91 (9th Cir. 2005).

Defendant Byrne appears to have failed to take all reasonable steps within his power to comply with two specific and definite orders issued by this court. First, Defendant—after terminating all his attorneys without warning on the day of trial—failed to comply, despite notice, with an order for sanctions

Patrick Byrne

8:56 AM · Sep 3, 2025 · 4 Views

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EXHIBIT O

(September 3, 2025 comment
and tag of @PatrickByrne)



Patrick Byrne @PatrickByrne · Aug 30

This is the guy who has been deciding for parents what should be considered “normal” when weighing the costs and benefits of various health interventions like vaccines.



Liz Churchill @liz_churchill10 · Aug 29

This was the Satanic Filth that was embedded at the CDC that made guidelines for your child’s ‘health’ which included Sexual Mutilation, Sterilization and forced Bill Gates ‘Vaccines’ that cause Cancer.



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clerk
@clerk841635

Present: The Honorable STEPHEN V. WILSON, U.S. DISTRICT JUDGE

David Tamayo Deputy Clerk	Courtroom Court Reporter - Recorder
Attorneys Present for Plaintiff: N/A	Attorneys Present for Defendant: N/A

Proceedings: ORDER TO SHOW CAUSE WHY DEFENDANT PATRICK BYRNE SHOULD NOT BE SANCTIONED OR HELD IN CIVIL CONTEMPT

I. Introduction

The Court hereby orders Patrick Byrne, Defendant, to show cause why additional sanctions should not be entered for failure to comply with discovery, and why Defendant should not be held in civil contempt for violation of multiple court orders.

proceedings, Defendant’s lead trial attorney was Michael Murphy. See ECF No. 48. However, on the morning of trial, Defendant terminated Mr. Murphy without warning, delaying proceedings at the expense of Plaintiff and this Court. Defendant initially attempted to replace Mr. Murphy with three new lawyers: Eric Nall, Tom Yu, and Barbara Lynn Lamborn Jamila. ECF Nos. 298, 299, 292. Ms. Lamborn was not a member of the California Bar, and her application to appear pro hoc vice could not be granted due to her acute history of unethical conduct, which gave the Court reason to doubt she would abide by the Court’s rules and practices. ECF No. 295. When Defendant learned that Ms. Lamborn was not qualified to represent him in this case, Defendant also instructed Mr. Nall and Mr. Yu to remove themselves. ECF No. 311.

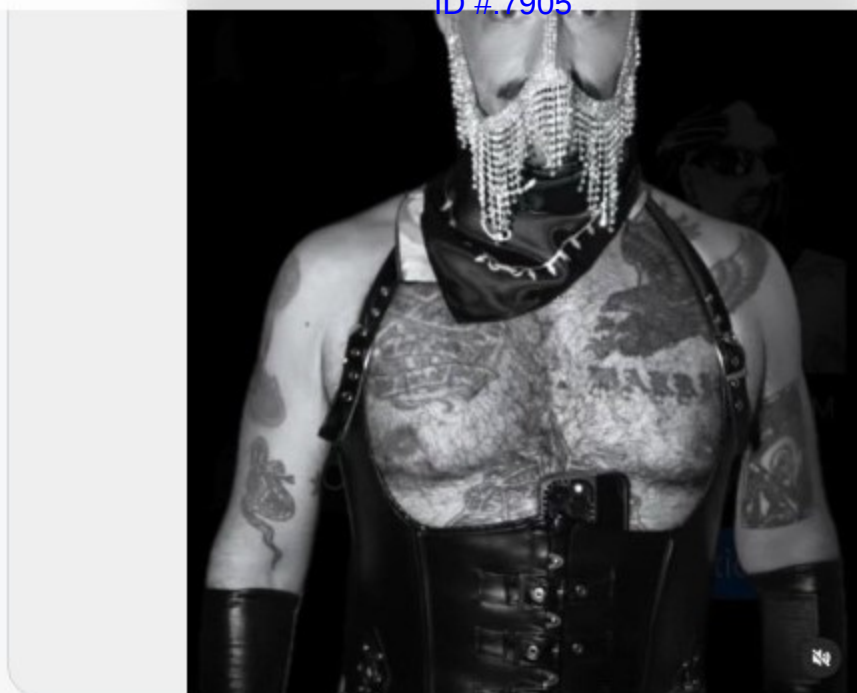
Moreover, Defendant himself, now unrepresented, failed to appear at trial. Accordingly, the Court issued an order to show cause why it should not enter default judgment and ordered the parties to return for the next day. At that hearing, on July 30, 2025, Defendant again failed to appear. Mr. Yu, who was not authorized to represent Defendant at trial, argued on Defendant’s behalf for a continuance, in lieu of default judgment. See ECF No. 307. After hearing arguments, the Court weighed relevant public interest factors, declined to issue default judgment, and instead allowed a continuance until October 14, 2025, so that Defendant could retain counsel. *Id.* Moreover, as a sanction for Defendant’s conduct, the Court suspended limited discovery to allow Plaintiff to investigate Defendant’s financial condition and accordingly ordered Defendant to (1) provide Plaintiff with an email address for electronic service at a physical address for mail and documents, and (2) respond to any written

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 @clerk841635

Present The Honorable STEPHEN V. WILSON, U.S. DISTRICT JUDGE	
Deputy Clerks	Courtroom
Deputy Clerk	Court Reporter / Recorder
Attorneys Present for Plaintiff	Attorneys Present for Defendant
N/A	N/A

Proceedings: ORDER TO SHOW CAUSE WHY DEFENDANT PATRICK BYRNE SHOULD NOT BE SANCTIONED OR HELD IN CIVIL CONTEMPT

I. Introduction

The Court hereby orders Patrick Byrne, Defendant, to show cause why additional sanctions should not be entered for failure to comply with discovery, and why Defendant should not be held in civil contempt for violation of multiple court orders.

Before issuing a formal finding of contempt and imposing further sanctions, the Court issues this order to show cause so that Defendant may have notice and an opportunity to be heard on the matter.

II. Background

However, in direct violation of the Court's order from July 30, Defendant has provided neither email nor physical address to Plaintiff and remains unresponsive to Plaintiff and the Court. See ECF No. 327 ("App'l") at 3-9-11. This behavior by Defendant has frustrated Plaintiff's attempts to conduct the court-ordered limited discovery. Moreover, at the status conference on August 14, 2025, Defendant again failed to personally appear, in direct violation of the Court's order. ECF No. 328.

III. Discussion

Considering Defendant's pattern of dilatory behavior, failure to comply with discovery, and repeated violations of court orders, the Court now considers further sanctions.

A. Sanctions for Failure to Comply with Discovery

The Federal Rules of Civil Procedure ("FRCP") mandate that all parties comply with discovery. See Fed. R. Civ. P. 37. As such, when a party fails to obey an order to provide or permit discovery, the court where the action is pending may issue further orders, including: (1) directing that designated facts be taken as established for purposes of the action; (2) prohibiting the disobedient party from supporting or opposing designated claims or defenses; (3) striking pleadings in whole or in part; (4) staying further proceedings; (5) dismissing the action in whole or in part; (6) rendering a default judgment against the disobedient party; or (7) treating in contempt of court the failure to obey any order except an order to submit to a physical or mental examination. Fed. R. Civ. P. 37(d)(2)(A).

In the August 7 order, this Court sanctioned Defendant for dilatory conduct at trial by requiring

proceedings, Defendant's lead trial attorney was Michael Murphy. See ECF No. 88. However, on the morning of trial, Defendant terminated Mr. Murphy without warning, delaying proceedings at the expense of Plaintiff and this Court. Defendant initially attempted to replace Mr. Murphy with three new lawyers: Eric Neff, Yara Yu, and Stefano Lynn Lanthorn-Juarez. ECF Nos. 290, 291, 292. Mr. Lanthorn was not a member of the California Bar, and her application to appear pro hac vice could not be granted due to her recent history of unethical conduct, which gave the Court reason to doubt she would abide by the Court's rules and practices. ECF No. 295. When Defendant learned that Mr. Lanthorn was not qualified to represent him in this case, Defendant also instructed Mr. Neff and Mr. Yu to remove themselves. ECF No. 311.

Moreover, Defendant himself, now unrepresented, failed to appear at trial. Accordingly, the Court issued an order to show cause why it should not enter default judgment and ordered the parties to return for the next day. At that hearing, on July 30, 2025, Defendant again failed to appear. Mr. Yu, who was not authorized to represent Defendant at trial, argued on Defendant's behalf for a continuance, in lieu of default judgment. See ECF No. 307. After hearing arguments, the Court weighed relevant public interest factors, declined to issue default judgment, and instead allowed a continuance until October 14, 2025, so that Defendant could return counsel. *Id.* Moreover, as a sanction for Defendant's conduct, the Court required limited discovery to allow Plaintiff to investigate Defendant's financial condition and correspondingly ordered Defendant to (1) provide Plaintiff with an email address for electronic service or a physical address for mail or overnight delivery service of documents, and (2) respond to any written discovery requests from Plaintiff within fourteen days. *Id.* Furthermore, on August 14, 2025, the Court set a status conference for August 14, 2025, and ordered Defendant to appear personally. ECF No. 318. To ensure Defendant had actual notice, the Court sent copies of the above orders to Defendant's current,

past, and future addresses and rendering a default judgment against Defendant. In addition to Defendant, this Court offers him an opportunity to show cause why the Court should not promptly take such action.

B. Civil Contempt for Violation of Court Orders

It is well established that "courts have inherent power to enforce compliance with their lawful orders through civil contempt." *Spokane v. United States*, 493 U.S. 155, 170 (1989) (quoting *Ballou v. United States*, 394 U.S. 364, 370 (1964)). The contempt power is necessary to protect a court's ability to preserve the disruption of its proceedings and to enable it to enforce its judgments and orders. *Ewing v. United States*, 483 U.S. 70, 79 (1987). As such, a party may be held in civil contempt when it "fail[s] to take all reasonable steps within [its] power to comply [with a specific and definite court order]." *Id.* (quoting *In re Dad - Duck Video cassette Records Antitrust Litig.*, 10 F.3d 483, 495 (9th Cir. 1993)).

The distinction between civil and criminal contempt looks to the "character and purpose" of the sanction imposed. *Gompers v. Day & Son & Range Co.*, 223 U.S. 418, 441 (1911); *Lester v. Ford Motor Co.*, 399 F.2d 1101, 1110-09 (9th Cir. 2001). Criminal contempt is punitive and is imposed to "vindicate the authority of the court." *Gompers*, 223 U.S. at 441. In contrast, civil contempt has a remedial purpose. *Id.* Unlike criminal contempt, civil contempt carries no willfulness requirement. *McCauley v. Jacksonville Paper Co.*, 336 U.S. 167, 191 (1949). However, a finding of civil contempt may be supported by clear and convincing evidence. *In re Dad*, 32 F.3d 1176, 1180-01 (9th Cir. 2001).

Defendant Byrne appears to have failed to take all reasonable steps within his power to comply with two specific and definite orders issued by this court. First, Defendant—after terminating all his attorneys without warning on the day of trial—failed to comply, despite notice, with an order for sanctions

Patrick Byrne

8:57 AM · Sep 3, 2025 · 4 Views

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EXHIBIT P

(September 3, 2025 comment
and tag of @PatrickByrne)

Post

Reply

7



Patrick Byrne

@PatrickByrne

Subscribe



A key demand I would add:

COUNT the ballots where they are CAST.



General Mike Flynn

@GenFlynn · Aug 31

ATTENTION!

Subject: Make Elections Secure Again (#MESA)

@realDonaldTrump this MESA Bill would be a nod to @realtinapeters for her ...

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10:32 AM · Aug 31, 2025 · 6,983 Views



26



90



305



3



Post your reply

Reply



clerk @clerk841635 · Sep 3



Present: The Honorable STEPHEN V. WILSON, U.S. DISTRICT JUDGE	
Daniel Tamaro	Courtroom
Deputy Clerk	Court Reporter / Recorder
Attorneys Present for Plaintiff:	Attorneys Present for Defendant:
N/A	N/A

Proceedings: ORDER TO SHOW CAUSE WHY DEFENDANT PATRICK BYRNE SHOULD NOT BE SANCTIONED FOR VIOLATION OF COURT ORDERS

I. Introduction

The Court finds on Patrick Byrne, Defendant, to show cause why additional sanctions should not be entered for failure to comply with discovery, and why Defendant should not be held in civil contempt for violation of multiple court orders.

Before issuing a formal finding of contempt and imposing further sanctions, the Court issues this order to show cause so that Defendant may have notice and an opportunity to be heard on the matter.

II. Background

However, in direct violation of the Court's order from July 16, Defendant has provided neither oral nor physical answers to Plaintiff and remains unresponsive to Plaintiff and the Court. See ECF No. 327 ("Appl.") at 3-4-1. This behavior by Defendant has frustrated Plaintiff's attempts to conduct the court-ordered limited discovery. Moreover, at the status conference on August 18, 2025, Defendant again failed to personally appear, in direct violation of the Court's order. ECF No. 326.

III. Discussion

Considering Defendant's pattern of dilatory behavior, failure to comply with discovery, and repeated violations of court orders, the Court now considers further sanctions.

A. Sanctions for Failure to Comply with Discovery

The Federal Rules of Civil Procedure ("FRCP") mandate that all parties comply with discovery. See Fed. R. Civ. P. 37. As such, when a party fails to obey an order to provide or permit discovery, the court where the action is pending may take further orders, including: (1) directing that designated facts be taken as established for purposes of the action; (2) prohibiting the disobedient party from supporting or opposing designated claims or defenses; (3) striking pleadings in whole or in part; (4) staying further proceedings; (5) dismissing the action in whole or in part; (6) rendering a default judgment against the disobedient party; or (7) treating as contempt of court the failure to obey any order except an order to submit to a physical or mental examination. Fed. R. Civ. P. 37(b)(2)(A).

In the August 7 order, the Court sanctioned Defendant for dilatory conduct as well by requiring

proceedings, Defendant's lead trial attorney was Michael Murphy. See ECF No. 38. However, on the morning of trial, Defendant terminated Mr. Murphy without warning, delaying proceedings at the expense of Plaintiff and this Court. Defendant initially attempted to replace Mr. Murphy with three new lawyers: Eric Hall, Tom Yin, and Stefano Lynn Lombardi-Jaramila. ECF Nos. 296, 291, 292. Mr. Lombardi was not a member of the California Bar, and his application to appear pro hac vice could not be granted due to his recent history of unethical conduct, which gave the Court reason to doubt he would abide by the Court's rules and practices. ECF No. 295. When Defendant learned that Mr. Lombardi was not qualified to represent him in this case, Defendant also terminated Mr. Hall and Mr. Yin to replace them with himself. ECF No. 311.

Moreover, Defendant himself, now unrepresented, failed to appear at trial. Accordingly, the Court issued an order to show cause why it should not enter default judgment and ordered the parties to return the next day. At that hearing, on July 31, 2025, Defendant again failed to appear. Mr. Yin, who was not authorized to represent Defendant at trial, argued on Defendant's behalf for a continuance, on fear of default judgment. See ECF No. 307. After hearing arguments, the Court weighed relevant public interest factors, declined to issue default judgment, and instead entered a continuance until October 16, 2025, so that Defendant could return counsel. *Id.* Moreover, as a sanction for Defendant's conduct, the Court imposed limited discovery to allow Plaintiff to investigate Defendant's financial condition and correspondingly ordered Defendant to (1) provide Plaintiff with an email address for electronic service at a physical address for mail or overnight delivery service of documents, and (2) respond to any written discovery requests from Plaintiff within business days. *Id.* Furthermore, on August 16, 2025, the Court set a status conference for August 18, 2025, and ordered Defendant to appear personally. ECF No. 310. To ensure Defendant had actual notice, the Court sent copies of the above order to Defendant's counsel,

putative damages counsel or rendering a default judgment against Defendant. In reliance on Defendant, this Court offers him an opportunity to show cause why the Court should not promptly take such action.

B. Civil Contempt for Violation of Court Orders

It is well-established that "courts have inherent power to enforce compliance with their lawful orders through civil contempt." *Spillane v. United States*, 440 U.S. 263, 276 (1979) (quoting *Shillineau v. United States*, 384 U.S. 344, 350 (1966)). This contempt power is necessary to protect a court's ability to preserve the discipline of its proceedings and to enable it to enforce its judgments and orders. *Young v. United States*, 481 U.S. 787, 794 (1987). As such, a party may be held in civil contempt when it "fail[ed] to take all reasonable steps within [its] power to comply [with a specific and definite court order]." *Alspiring, Inc. v. Dad. Truck Video Caster Recorder Network Ltd.*, 10 F.3d 685, 697 (9th Cir. 1993).

The distinction between civil and criminal contempt lies in the "character and purpose" of the sanction imposed. *Compton v. Bell v. Jones & Ringier Co.*, 323 U.S. 418, 441 (1945); *Loew v. Ford Motor Co.*, 399 F.2d 1101, 1110 (9th Cir. 2005). Criminal contempt is punitive and is imposed to "vindicate the authority of the court." *Compton*, 323 U.S. at 441. In contrast, civil contempt has a remedial purpose. *Alspiring*, 10 F.3d at 697. Unlike criminal contempt, civil contempt contains no willfulness requirement. *Id.* *Loew v. Ford Motor Co.*, 399 F.2d 1101, 1110 (9th Cir. 2005). However, a finding of civil contempt must be supported by clear and convincing evidence. *Id.* at 697, 323 F.3d 1176, 1180-81 (9th Cir. 2005).

Defendant here appears to have failed to take all reasonable steps within his power to comply with two specific and definite orders issued by this court. First, Defendant—after terminating all his attorneys without warning on the day of trial—failed to comply, despite notice, with an order for sanctions

Patrick Byrne

EXHIBIT Q

(September 3, 2025 comment
and tag of @PatrickByrne)

kevin blue @kevinblue345 · Sep 3

BREAKING: Kansas City, Missouri where only white people invovled in a deadly fight and MASS SHOOTING—2 DEAD, 3 Clinging To LIFE After Fight Turns DEADLY With 60 ROUNDS FIRED After Argument Over Girl After Bars Closed! WHY The MEDIA SILENCE



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clerk
 @clerk841635

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Present: The Honorable	STEPHEN V. WILSON, U.S. DISTRICT JUDGE
Daniel Tameyo Deputy Clerk	Courtroom Court Reporter / Reporter
Attorneys Present for Plaintiff	Attorneys Present for Defendant
N/A	N/A

Proceedings: ORDER TO SHOW CAUSE WHY DEFENDANT PATRICK BYRNE SHOULD NOT BE SANCTIONED OR HELD IN CIVIL CONTEMPT

I. Introduction

The Court hereby orders Patrick Byrne, Defendant, to show cause why additional sanctions should not be entered for failure to comply with discovery, and why Defendant should not be held in civil contempt for violation of multiple court orders.

Before issuing a formal finding of contempt and imposing further sanctions, the Court issues this order to show cause so that Defendant may have notice and an opportunity to be heard on the matter.

II. Background

However, in direct violation of the Court's order from July 30, Defendant has provided neither email nor physical address to Plaintiff and remains unresponsive to Plaintiff and the Court. See ECF No. 327 ("App'l") at 3-4-11. This behavior by Defendant has frustrated Plaintiff's attempts to conduct the court-ordered limited discovery. Moreover, at the status conference on August 18, 2025, Defendant again failed to personally appear, in direct violation of the Court's order. ECF No. 326.

III. Discussion

Considering Defendant's pattern of dilatory behavior, failure to comply with discovery, and repeated violations of court orders, the Court now considers further sanctions.

A. Sanctions for Failure to Comply with Discovery

The Federal Rules of Civil Procedure ("FRCP") mandate that all parties comply with discovery. See Fed. R. Civ. P. 37. As such, when a party fails to obey an order to provide or permit discovery, the court where the action is pending may issue further orders, including: (1) directing that designated facts be taken as established for purposes of the action; (2) prohibiting the disobedient party from supporting or opposing designated claims or defenses; (3) striking pleadings in whole or in part; (4) staying further proceedings; (5) dismissing the action in whole or in part; (6) entering a default judgment against the

proceedings. Defendant's lead trial attorney was Michael Murphy. See ECF No. 48. However, on the morning of trial, Defendant terminated Mr. Murphy without warning, delaying proceedings at the expense of Plaintiff and this Court. Defendant initially attempted to replace Mr. Murphy with three new lawyers: Eric Naff, Tom Yu, and Nicholas Lynn Lanthorn Jaramila. ECF Nos. 290, 291, 292. Mr. Lanthorn was not a member of the California Bar, and his applications to appear pro hac vice could not be granted due to his recent history of unethical conduct, which gave the Court reason to doubt the would abide by the Court's rules and practices. ECF No. 295. When Defendant learned that Mr. Lanthorn was not qualified to represent him in this case, Defendant also instructed Mr. Naff and Mr. Yu to remove themselves. ECF No. 311.

Moreover, Defendant himself, now unrepresented, failed to appear at trial. Accordingly, the Court issued an order to show cause why it should not enter default judgment and ordered the parties to return the next day. At that hearing, on July 30, 2025, Defendant again failed to appear. Mr. Yu, who was not authorized to represent Defendant at trial, argued on Defendant's behalf for a continuance, in lieu of default judgment. See ECF No. 307. After hearing arguments, the Court weighed relevant public interest factors, declined to issue default judgment, and instead allowed a continuance until October 16, 2025, so that Defendant could return counsel. *Id.* Moreover, as a sanction for Defendant's conduct, the Court suspended limited discovery to allow Plaintiff to investigate Defendant's financial condition and correspondingly ordered Defendant to (1) provide Plaintiff with an email address for electronic service at a physical address for mail or e-mail delivery service of documents, and (2) respond to any written discovery requests from Plaintiff within business days. *Id.* Furthermore, on August 18, 2025, the Court set a status conference for August 18, 2025, and ordered Defendant to appear personally. ECF No. 318. To ensure Defendant had actual notice, the Court sent copies of the above orders to Defendant's current,

past, and future attorneys and/or rendering a default judgment against Defendant. In business to Defendant, this Court offers him an opportunity to show cause why the Court should not promptly take such action.

B. Civil Contempt for Violation of Court Orders

It is well established that "courts have inherent power to enforce compliance with their lawful orders through civil contempt." *Spokane v. United States*, 493 U.S. 261, 276 (1990) (quoting *Willson v. United States*, 384 U.S. 384, 370 (1964)). The contempt power is necessary to protect a court's ability to prevent the disruption of its proceedings and to enable it to enforce its judgments and orders. *Tong v. United States*, 481 U.S. 787, 798 (1987). As such, a party may be held in civil contempt when it "fail[ed] to take all reasonable steps within [its] power to comply [with a specific and definite court order]." *Id.* (quoting *In re Dad-Donk Video Casette Records Antitrust Litig.*, 10 F.3d 483, 497 (9th Cir. 1993)).

The distinction between civil and criminal contempt looks to the "character and purpose" of the sanction imposed. *Gompers v. Beck & Sons & Sons Co.*, 223 U.S. 415, 441 (1911); *Lewis v. Ford Motor Co.*, 399 F.2d 1101, 1110 (9th Cir. 2005). Criminal contempt is punitive and is imposed to "vindicate the authority of the court." *Gompers*, 223 U.S. at 441. In contrast, civil contempt has a remedial purpose. *Id.* Unlike criminal contempt, civil contempt carries no willfulness requirement. *McCord v. Jacksonville Paper Co.*, 356 U.S. 357, 361 (1948). However, a finding of civil contempt must be supported by clear

BREAKING: Kansas City, Missouri Where Only White People Involved in a deadly fight and MASS SHOOTING—2 DEAD, 3 Clinging To LIFE After Fight Turns DEADLY With 60 ROUNDS FIRED After Argument Over Girl After Bars Closed! WHY The MEDIA SILENCE



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@SenBautista

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clerk

@clerk841635

13K

Present The Honorable:	STEPHEN V. WILSON, U.S. DISTRICT JUDGE
Daniel Tamez	Courtroom
Deputy Clerk	Court Reporter / Recorder
Attorneys Present for Plaintiff:	Attorneys Present for Defendant:
N/A	N/A

Proceedings: ORDER TO SHOW CAUSE WHY DEFENDANT PATRICK BYRNE SHOULD NOT BE SANCTIONED OR HELD IN CIVIL CONTEMPT

I. Introduction

The Court hereby orders Patrick Byrne, Defendant, to show cause why additional sanctions should not be imposed for failure to comply with discovery, and why Defendant should not be held in civil contempt for violation of multiple court orders.

Before issuing a formal finding of contempt and imposing further sanctions, the Court issues this order to show cause so that Defendant may have notice and an opportunity to be heard on the matter.

II. Background

However, in direct violation of the Court's order from July 30, Defendant has provided neither email nor physical address to Plaintiff and remains unresponsive to Plaintiff and the Court. See ECF No. 127 ("App'l") at 3-9-11. This behavior by Defendant has frustrated Plaintiff's attempts to conduct the court-ordered limited discovery. Moreover, at the status conference on August 18, 2025, Defendant again failed to personally appear, in direct violation of the Court's order. ECF No. 126.

III. Discussion

Considering Defendant's pattern of litigious behavior, failure to comply with discovery, and repeated violations of court orders, the Court now considers further sanctions.

A. Sanctions for Failure to Comply with Discovery

The Federal Rules of Civil Procedure ("FRCP") mandate that all parties comply with discovery. See Fed. R. Civ. P. 37. As such, when a party fails to obey an order to provide or permit discovery, the court where the action is pending may issue further orders, including: (1) directing that designated facts be taken as established for purposes of the action; (2) prohibiting the disobedient party from supporting or opposing designated claims or defenses; (3) striking pleadings in whole or in part; (4) staying further proceedings; (5) dismissing the action in whole or in part; (6) rendering a default judgment against the disobedient party; or (7) treating as contempt of court the failure to obey any order except an order to submit to a physical or mental examination. Fed. R. Civ. P. 37(b)(2)(A).

In the August 7 order, this Court sanctioned Defendant for litigious conduct at trial by requiring

proceedings, Defendant's lead trial attorney was Michael Murphy. See ECF No. 88. However, at the morning of trial, Defendant terminated Mr. Murphy without warning, delaying proceedings at the expense of Plaintiff and this Court. Defendant initially attempted to replace Mr. Murphy with three new lawyers: Eric Neff, Tom Yu, and Sabrina Lynn Lanthorn Jacobs. ECF Nos. 246, 251, 252. Ms. Lanthorn was not a member of the California Bar, and her application to appear pro hac vice could not be granted due to her recent history of unethical conduct, which gave the Court reason to doubt she would abide by the Court's rules and practices. ECF No. 245. When Defendant learned that Ms. Lanthorn was not qualified to represent her in this case, Defendant also instructed Mr. Neff and Mr. Yu to remove themselves. ECF No. 271.

Moreover, Defendant himself, now unrepresented, failed to appear at trial. Accordingly, the Court issued an order to show cause why it should not enter default judgment and ordered the parties to return the next day. At that hearing, on July 30, 2025, Defendant again failed to appear. Mr. Yu, who was not authorized to represent Defendant at trial, argued on Defendant's behalf for a continuance, in lieu of default judgment. See ECF No. 307. After hearing arguments, the Court weighed relevant public interest factors, declined to issue default judgment, and instead allowed a continuance until October 14, 2025, so that Defendant could retain counsel. *Id.* Moreover, as a sanction for Defendant's conduct, the Court required limited discovery to allow Plaintiff to investigate Defendant's financial condition and correspondingly ordered Defendant to (1) provide Plaintiff with an email address for electronic service at a physical address for mail or overnight delivery service of documents, and (2) respond to any written discovery requests from Plaintiff within fourteen days. *Id.* Furthermore, on August 14, 2025, the Court set a status conference for August 18, 2025, and ordered Defendant to appear personally. ECF No. 318. To ensure Defendant had actual notice, the Court sent copies of the above orders to Defendant's current, positive damages award or rendering a default judgment against Defendant. In fairness to Defendant, this Court issues this order to show cause why the Court should not promptly take such action.

B. Civil Contempt for Violation of Court Orders

It is well established that "courts have inherent power to enforce compliance with their lawful orders through civil contempt." *Spokane v. United States*, 493 U.S. 388, 376 (1990) (quoting *Willard v. United States*, 364 U.S. 364, 370 (1960)). Contempt power is necessary to protect a court's ability to prevent the disruption of its proceedings and to enable it to enforce its judgments and orders. *Young v. United States*, 481 U.S. 787, 798 (1987). As such, a party may be held in civil contempt when it "fail[s] to take all reasonable steps within [its] power to comply [with a specific and definite court order]." *Id.* (quoting *In re Deal*, 2003 WL 600000 (S.D. Cal. 2003)).

The distinction between civil and criminal contempt looks to the "character and purpose" of the sanction imposed. *Gregory v. Bock & Bock Co.*, 223 U.S. 418, 440 (1911); *Ex parte Ford Motor Co.*, 299 U.S. 1101, 1110 (1936). Civil contempt is punitive and is imposed to "vindicate the authority of the court." *Gregory*, 223 U.S. at 441. In contrast, civil contempt has a remedial purpose. *Id.* Unlike criminal contempt, civil contempt contains no willfulness requirement. *30 Cech v. Jacksonville Paper Co.*, 336 U.S. 187, 191 (1949). However, a finding of civil contempt must be supported by clear and convincing evidence. *See Dyer*, 32 F.3d 1176, 1180-91 (9th Cir. 1993).

Defendant Byrne appears to have failed to take all reasonable steps within its power to comply with two specific and definite orders issued by this court. First, Defendant—after terminating all its attorneys without warning on the day of trial—failed to comply, despite notice, with an order for sanctions

EXHIBIT R

(September 5, 2025 comment
and tag of @PatrickByrne)



Patrick Byrne W-PD Document 331-1 ID #7912

Tina Peters rots in prison for PRESERVING election records.

Behold two short videos of James Zigglehoffer & Thomas Gallagher DESTROYING the Delaware County, Pennsylvania 2020 election records.

They not only still walk free, they still run elections there! WTF?

rtw

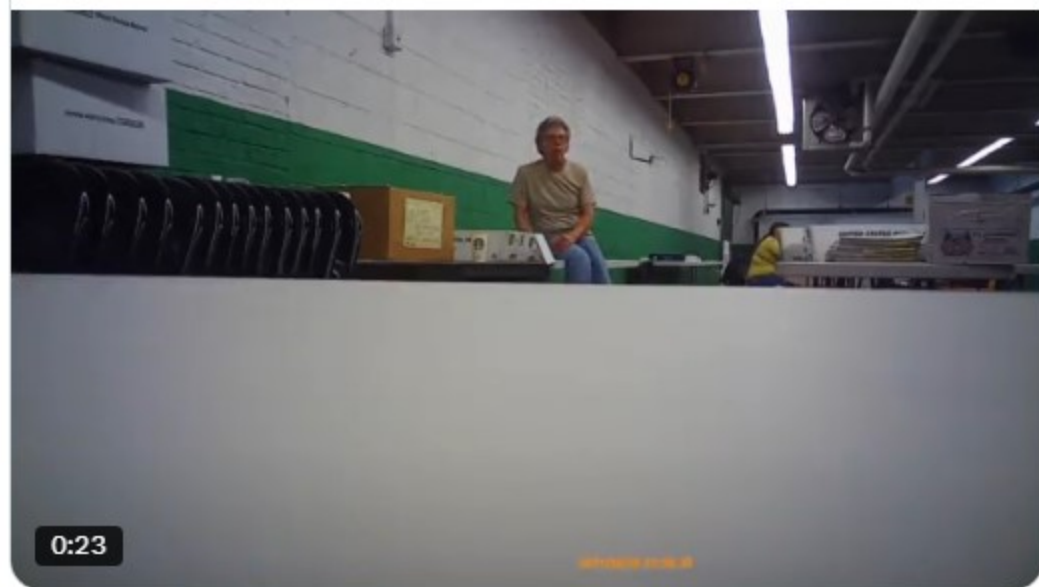


Stefanie Lambert Esq @StefLambertEsq · Mar 7, 2022

WATCH THIS! REAL EVIDENCE. REAL PENDING CASE. EXHIBIT EE2.

CV-2022-000032 Moton, Hoopes, Stenstrom vs Boockvar, Kathy et al

Para 242: "Ziegelhoffer justified his actions of disposing of the tapes ...



116 2.3K 3.4K 62K

clerk
@clerk841635

PATRICK BYRNE @PatrickByrne ORDERED BY FEDERAL TO SHOW
CAUSE WHY HE SHOULD NOT BE SANCTIONED OR HELD IN
CONTEMPT

Present The Honorable STEPHEN V. WILSON, U.S. DISTRICT JUDGE
Daniel Tamayo Deputy Clerk
Attorneys Present for Plaintiff
Courtroom
Court Reporter / Recorder
Attorneys Present for Defendant

proceedings, Defendant's lead trial attorney was Michael Murphy. See ECF No. 48. However, on the morning of trial, Defendant terminated Mr. Murphy without warning, delaying proceedings at the expense of Plaintiff and this Court. Defendant initially attempted to replace Mr. Murphy with three new lawyers: Eric Naff, Tom Yu, and Stefanie Lynn Lambert-Jaundt. ECF Nos. 298, 299, 292. Ms. Lambert was not a member of the California Bar, and her application to appear pro hac vice could not be granted due to her acute history of unethical conduct, which gave the Court reason to doubt she would abide by the Court's rules and practices. ECF No. 295. When Defendant learned that Ms. Lambert was not qualified to represent



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2.3K

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62K



clerk

@clerk841635



PATRICK BYRNE @PatrickByrne ORDERED BY FEDERAL TO SHOW CAUSE WHY HE SHOULD NOT BE SANCTIONED OR HELD IN CONTEMPT

Present The Honorable: STEPHEN V. WILSON, U.S. DISTRICT JUDGE	
Daniel Tenney Deputy Clerk	Courtroom Court Reporter / Recorder
Attorneys Present for Plaintiff: N/A	Attorneys Present for Defendant: N/A

Proceedings: ORDER TO SHOW CAUSE WHY DEFENDANT PATRICK BYRNE SHOULD NOT BE SANCTIONED OR HELD IN CIVIL CONTEMPT

I. Introduction

The Court hereby orders Patrick Byrne, Defendant, to show cause why additional sanctions should not be entered for failure to comply with discovery, and why Defendant should not be held in civil contempt for violation of multiple court orders.

Before issuing a formal finding of contempt and imposing further sanctions, the Court issues this order to show cause so that Defendant may have notice and an opportunity to be heard on the matter.

II. Background

However, in direct violation of the Court's order from July 30, Defendant has provided neither email nor physical address to Plaintiff and remains unresponsive to Plaintiff and the Court. See ECF No. 327 ("Appl.") at 3-4-11. This behavior by Defendant has frustrated Plaintiff's attempts to conduct the court-ordered limited discovery. Moreover, at the status conference on August 18, 2025, Defendant again failed to personally appear, in direct violation of the Court's order. ECF No. 326.

III. Discussion

Considering Defendant's pattern of dilatory behavior, failure to comply with discovery, and repeated violations of court orders, the Court now considers further sanctions.

A. Sanctions for Failure to Comply with Discovery

The Federal Rules of Civil Procedure ("FRCP") mandate that all parties comply with discovery. See Fed. R. Civ. P. 37. As such, when a party fails to obey an order to provide or permit discovery, the court where the action is pending may enter further orders, including: (1) directing that designated facts be taken as established for purposes of the action; (2) prohibiting the disobedient party from supporting or opposing designated claims or defenses; (3) striking pleadings in whole or in part; (4) staying further proceedings; (5) dismissing the action in whole or in part; (6) rendering a default judgment against the disobedient party; or (7) treating as contempt of court the failure to obey any order except an order to submit to a physical or mental examination. Fed. R. Civ. P. 37(d)(2)(A).

In the August 7 order, this Court sanctioned Defendant for dilatory conduct at trial by requiring

proceedings, Defendant's lead trial attorney was Michael Murphy. See ECF No. 48. However, on the morning of trial, Defendant terminated Mr. Murphy without warning, delaying proceedings at the expense of Plaintiff and this Court. Defendant initially attempted to replace Mr. Murphy with three new lawyers: Eric Neff, Tom Yu, and Sabrina Lynn Lambert-Jamila. ECF Nos. 280, 291, 292. Mr. Lambert was not a member of the California Bar, and her application to appear pro hac vice could not be granted due to her recent history of unethical conduct, which gave the Court reason to doubt she would abide by the Court's rules and practices. ECF No. 295. When Defendant learned that Mr. Lambert was not qualified to represent him in this case, Defendant also instructed Mr. Neff and Mr. Yu to remove themselves. ECF No. 311.

Moreover, Defendant himself, now unrepresented, failed to appear at trial. Accordingly, the Court issued an order to show cause why it should not enter default judgment and ordered the parties to return the next day. At that hearing, on July 30, 2025, Defendant again failed to appear. Mr. Yu, who was not authorized to represent Defendant at trial, argued on Defendant's behalf for a continuance, on fear of default judgment. See ECF No. 307. After hearing arguments, the Court weighed relevant public interest factors, declined to issue default judgment, and instead allowed a continuance until October 14, 2025, as that Defendant could retain counsel. *Id.* Moreover, as a sanction for Defendant's conduct, the Court suspended limited discovery to allow Plaintiff to investigate Defendant's financial condition and accordingly ordered Defendant to (1) provide Plaintiff with an email address for electronic service as a physical address for mail or overnight delivery service of documents, and (2) respond to any written discovery requests from Plaintiff within business days. *Id.* Furthermore, on August 18, 2025, the Court set a status conference for August 18, 2025, and ordered Defendant to appear personally. ECF No. 316. To ensure Defendant had actual notice, the Court sent copies of the above orders to Defendant's current, punitive damages award" or rendering a default judgment against Defendant. In fairness to Defendant, this Court offers him an opportunity to show cause why the Court should not promptly take such action.

B. Civil Contempt for Violation of Court Orders

It is well established that "courts have inherent power to enforce compliance with their limited orders through civil contempt." *Spokane v. United States*, 493 U.S. 263, 276 (1990) (quoting *Beane v. United States*, 384 U.S. 384, 370 (1966)). The contempt power is necessary to protect a court's ability to prevent the disruption of its proceedings and to enable it to enforce its judgments and orders. *Young v. United States*, 481 U.S. 767, 768 (1987). As such, a party may be held in civil contempt when it "fail[s] to take all reasonable steps within [its] power to comply [with a specific and definite court order]." *Id.* (quoting *In re David*, 326 F.2d 1176, 1180-81 (9th Cir. 1963)).

The distinction between civil and criminal contempt looks to the "character and purpose" of the sanction imposed. *Gonzalez v. Bed & Range Co.*, 223 U.S. 410, 441 (1911); *Levy v. Ford Motor Co.*, 399 F.2d 1110, 1110-08 (CA-9, 2005). Criminal contempt is punitive and is imposed to "vindicate the authority of the court." *Gonzalez*, 223 U.S. at 441. In contrast, civil contempt has a remedial purpose. *Id.* Unlike criminal contempt, civil contempt contains no willfulness requirement. *McComb v. Jacksonville Paper Co.*, 356 U.S. 187, 191 (1968). However, a finding of civil contempt must be supported by clear and convincing evidence. *In re Dyer*, 512 F.2d 1176, 1180-81 (9th Cir. 2005).

Defendant Byrne appears to have failed to take all reasonable steps within his power to comply with two specific and definite orders issued by this court. First, Defendant—after terminating all his attorneys without warning—on the day of trial—failed to comply, despite notice, with an order for sanctions

Patrick Byrne

EXHIBIT S

(September 5, 2025 comment
and tag of @PatrickByrne)

18 USC 1519 2071 2071 371
52 USC 20701

ID #:7915

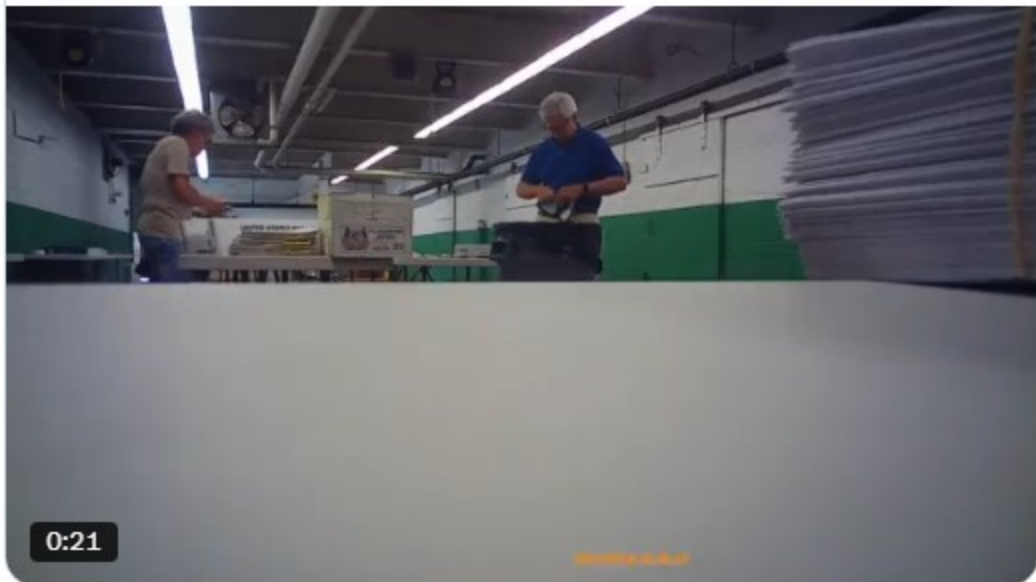


Stefanie Lambert Esq @StefLambertEsq · Mar 7, 2022

REAL EVIDENCE. REAL CASE. REAL TRASH CAN WITH YOUR ELECTION RIGHT IN THE GARBAGE. EXHIBIT DD

CV-2022-000032 Moton, Hoopes, Stenstrom vs Boockvar, Kathy et al

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Streaming on YouTube

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@clerk841635



PATRICK BYRNE ORDERED BY FEDERAL JUDGE TO SHOW CAUSE WHY SHOULD NOT BE HELD IN CONTEMPT

Present: The Honorable STEPHEN V. WILSON, U.S. DISTRICT JUDGE	
David Tenney	Courtroom
Deputy Clerk	Court Reporter / Recorder
Attorneys Present for Plaintiff:	Attorneys Present for Defendant:
N/A	N/A

Proceedings: ORDER TO SHOW CAUSE WHY DEFENDANT PATRICK BYRNE SHOULD NOT BE SANCTIONED OR HELD IN CIVIL CONTEMPT

I. Introduction

The Court hereby orders Patrick Byrne, Defendant, to show cause why additional sanctions should not be entered for failure to comply with discovery, and why Defendant should not be held in civil contempt for violation of multiple court orders.

Before issuing a formal finding of contempt and imposing further sanctions, the Court issues this order to show cause so that Defendant may have notice and an opportunity to be heard on the matter.

II. Background

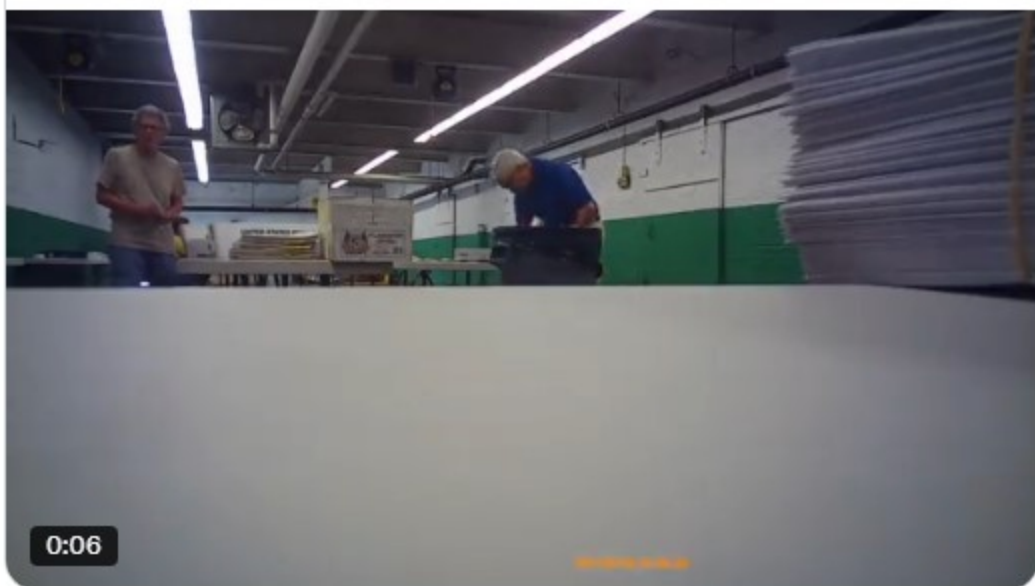
However, in direct violation of the Court's order from July 30, Defendant has provided neither email nor physical address to Plaintiff and remains unresponsive to Plaintiff and the Court. See ECF No. 327 ("Appt") at 3-9-11. This behavior by Defendant has hindered Plaintiff's attempts to conduct the court-ordered limited discovery. Moreover, at the status conference on August 18, 2025, Defendant again failed to personally appear, in direct violation of the Court's order. ECF No. 336.

proceedings, Defendant's lead trial attorney was Michael Murphy. See ECF No. 348. However, on the morning of trial, Defendant terminated Mr. Murphy without warning, delaying proceedings at the expense of Plaintiff and this Court. Defendant initially attempted to replace Mr. Murphy with three new lawyers: Eric Naff, Tom Yu, and Stefanie Lynn Lambert-Juarez. ECF Nos. 288, 290, 292. Ms. Lambert was not a member of the California Bar, and her application to appear pro-hab vice could not be granted due to her recent history of unethical conduct, which gave the Court reason to doubt she would abide by the Court's rules and practices. ECF No. 295. When Defendant learned that Ms. Lambert was not qualified to represent him in this case, Defendant also instructed Mr. Naff and Mr. Yu to remove themselves. ECF No. 311.

Moreover, Defendant himself, now unrepresented, failed to appear at trial. Accordingly, the Court issued an order to show cause why it should not enter default judgment and ordered the parties to return the next day. At that hearing, on July 30, 2025, Defendant again failed to appear. Mr. Yu, who was not authorized to represent Defendant at trial, argued on Defendant's behalf for a continuance, in lieu of default judgment. See ECF No. 307. After hearing arguments, the Court weighed relevant public interest factors, declined to issue default judgment, and instead allowed a continuance until October 14, 2025, so that Defendant could retain counsel. *Id.* Moreover, as a sanction for Defendant's conduct, the Court requested limited discovery to allow Plaintiff to investigate Defendant's financial condition and correspondingly ordered Defendant to (1) provide Plaintiff with an email address for electronic service as a physical address for mail or overnight-delivery service of documents, and (2) respond to any verbatim discovery requests from Plaintiff within fourteen days. *Id.* Furthermore, on August 14, 2025, the Court set a status conference for August 18, 2025, and ordered Defendant to appear personally. ECF No. 318. To ensure Defendant had actual notice, the Court sent copies of the above orders to Defendant's current, putative damages event² or rendering a default judgment against Defendant. In fairness to Defendant, this Court offers him an opportunity to show cause why the Court should not promptly take such action.

B. Civil Contempt for Violation of Court Orders

It is well established that "courts have inherent power to enforce compliance with their lawful orders through civil contempt." *Spokane v. United States*, 483 U.S. 265, 276 (1987) (quoting *Hollman v.*



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clerk

@clerk841635

PATRICK BYRNE ORDERED BY FEDERAL JUDGE TO SHOW CAUSE WHY SHOULD NOT BE HELD IN CONTEMPT

Present: The Honorable STEPHEN V. WILSON, U.S. DISTRICT JUDGE

Daniel Tanayre Deputy Clerk	Courtroom Court Reporter / Recorder
Attorneys Present for Plaintiff: N/A	Attorneys Present for Defendant: N/A

Proceedings: ORDER TO SHOW CAUSE WHY DEFENDANT PATRICK BYRNE SHOULD NOT BE SANCTIONED OR HELD IN CIVIL CONTEMPT

I. Introduction

The Court hereby orders Patrick Byrne, Defendant, to show cause why additional sanctions should not be entered for failure to comply with discovery, and why Defendant should not be held in civil contempt for violation of multiple court orders.

Before issuing a formal finding of contempt and imposing further sanctions, the Court issues this order to show cause so that Defendant may have notice and an opportunity to be heard on the matter.

II. Background

However, in direct violation of the Court's order from July 30, Defendant has provided neither email nor physical address to Plaintiff and remains unresponsive to Plaintiff and the Court. See ECF No. 327 ("App.") at 9-11. This behavior by Defendant has frustrated Plaintiff's attempts to conduct the court-ordered limited discovery. Moreover, at the status conference on August 18, 2025, Defendant again failed to personally appear, in direct violation of the Court's order. ECF No. 326.

III. Discussion

Considering Defendant's pattern of dilatory behavior, failure to comply with discovery, and repeated violations of court orders, the Court now considers further sanctions.

A. Sanctions for Failure to Comply with Discovery

The Federal Rules of Civil Procedure ("FRCP") mandate that all parties comply with discovery. See Fed. R. Civ. P. 37. As such, when a party fails to obey an order to provide or permit discovery, the court where the action is pending may issue further orders, including: (1) directing that designated facts be taken as established for purposes of the action, (2) prohibiting the disobedient party from supporting or opposing designated claims or defenses, (3) striking pleadings in whole or in part, (4) staying further proceedings, (5) dismissing the action in whole or in part, (6) rendering a default judgment against the disobedient party, or (7) treating as contempt of court the failure to obey any order except an order to submit to a physical or mental examination. Fed. R. Civ. P. 37(b)(2)(A).

In the August 7 order, this Court sanctioned Defendant for dilatory conduct at trial by requiring

proceedings, Defendant's lead trial attorney was Michael Murphy. See ECF No. 48. However, on the morning of trial, Defendant terminated Mr. Murphy without warning, delaying proceedings at the expense of Plaintiff and the Court. Defendant initially attempted to replace Mr. Murphy with three new lawyers: Eric Noff, Tom Yu, and Nathaniel Lynn Lambert. ECF Nos. 290, 291, 292. Mr. Lambert was not a member of the California Bar, and his application to appear pro hac vice could not be granted due to his recent history of unethical conduct, which gave the Court reason to doubt he would abide by the Court's rules and practices. ECF No. 295. When Defendant learned that Mr. Lambert was not qualified to represent him in this case, Defendant also terminated Mr. Noff and Mr. Yu to remove themselves. ECF No. 311.

Moreover, Defendant himself now unrepresented, failed to appear at trial. Accordingly, the Court issued an order to show cause why it should not enter default judgment and ordered the parties to return the next day. At that hearing, on July 30, 2025, Defendant again failed to appear. Mr. Yu, who was not authorized to represent Defendant at trial, argued on Defendant's behalf for a continuance, in lieu of default judgment. See ECF No. 307. After hearing arguments, the Court weighed relevant public interest factors, declined to issue default judgment, and instead allowed a continuance until October 14, 2025, as that Defendant could retain counsel. *Id.* Moreover, as a sanction for Defendant's conduct, the Court requested limited discovery to allow Plaintiff to investigate Defendant's financial condition and correspondingly ordered Defendant to (1) provide Plaintiff with an email address for electronic service or a physical address for mail, or overnight delivery service of documents, and (2) respond to any written discovery requests from Plaintiff within fourteen days. *Id.* Furthermore, on August 14, 2025, the Court set a status conference for August 18, 2025, and ordered Defendant to appear personally. ECF No. 316. To ensure Defendant had actual notice, the Court sent copies of the above orders to Defendant's current, putative damages award" rendering a default judgment against Defendant. In fairness to Defendant, this Court offers him an opportunity to show cause why the Court should not promptly take such action.

B. Civil Contempt for Violation of Court Orders

It is well-established that "courts have inherent power to enforce compliance with their lawful orders through civil contempt." *Spivey v. United States*, 493 U.S. 265, 276 (1990) (quoting *Belton v. United States*, 384 U.S. 384, 370 (1966)). The contempt power is necessary to protect a court's ability to prevent the disruption of its proceedings and to enable it to enforce its judgments and orders. *Touss v. United States*, 481 U.S. 767, 788 (1987). As such, a party may be held in civil contempt when it "fail[ed] to take all reasonable steps within [its] power to comply [with a specific and definite court order]." *Id.* (quoting *In re David Victor Caserio Receiver Appointee Litig.*, 10 F.3d 643, 657 (9th Cir. 1993)).

The distinction between civil and criminal contempt looks to the "character and purpose" of the sanction imposed. *Compton v. Bell v. Range Co.*, 221 U.S. 415, 441 (1910); *Law v. Ford Motor Co.*, 399 U.S. 110, 119 (1966) (Civ. 2045). Criminal contempt is punitive and is imposed to "vindicate the authority of the court." *Compton*, 221 U.S. at 441. In contrast, civil contempt has a remedial purpose. *Id.* Unlike criminal contempt, civil contempt contains no willfulness requirement. *McCook v. Jacksonville Paper Co.*, 336 U.S. 187, 191 (1949). However, a finding of civil contempt must be supported by clear and convincing evidence. *In re Eby*, 32 F.3d 1176, 1180-81 (9th Cir. 2005).

Defendant Byrne appears to have failed to take all reasonable steps within his power to comply with two specific and definite orders issued by this court. First, Defendant—after terminating all his attorneys without warning on the day of trial—failed to comply, despite notice, with an order for sanctions

Patrick Byrne

EXHIBIT T

(September 5, 2025 comment
and tag of @PatrickByrne)

Mistake.

All 2020 election systems' hard drives were wiped written-over with a "Golden Image" with one exception: Fulton County, Pennsylvania's election systems were by judicial order sent to be stored untouched in Pro V&V's Alabama warehouse.



Developing: Trump's DOJ Seeks Access to Voting Equipment Used by Missouri Clerks F...

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7:15 PM · Sep 5, 2025 · 14.2K Views

25 189 495 30

Post your reply Reply

clerk @clerk841635 · Sep 5
PATRICK BYRNE ORDERED BY FEDERAL JUDGE TO SHOW CAUSE WHY HE SHOULD NOT BE HELD IN CONTEMPT

Present: The Honorable STEPHEN V. WILSON, U.S. DISTRICT JUDGE

Donald Tamm Deputy Clerk	Courtroom
Attorneys Present for Plaintiff	Court Reporter / Recorder
NA	Attorneys Present for Defendant
	NA

Proceedings: ORDER TO SHOW CAUSE WHY DEFENDANT PATRICK BYRNE SHOULD NOT BE SANCTIONED OR HELD IN CIVIL CONTEMPT

proceedings, Defendant's lead trial attorney was Michael Murphy. See ECF No. 48. However, on the morning of trial, Defendant terminated Mr. Murphy without warning, delaying proceedings at the request of Plaintiff and this Court. Defendant initially attempted to replace Mr. Murphy with three new lawyers: Eric Neff, Tom Yu, and Stephanie Lynn Lamborn-Jennila. ECF Nos. 249, 251, 252. Ms. Lamborn was not a member of the California Bar, and her application to appear pro hac vice could not be granted due to her recent history of unethical conduct, which gave the Court reason to doubt she would abide by the Court's rules and practices. ECF No. 245. When Defendant learned that Ms. Lamborn was not qualified to represent him in this case, Defendant also terminated Mr. Neff and Mr. Yu to replace them. ECF No. 251.

Moreover, Defendant himself never appeared, failed to appear at trial. Accordingly, the Court issued an order to show cause why it should not enter default judgment and ordered the parties to return the next day. At that hearing, on July 30, 2025, Defendant again failed to appear. Mr. Yu, who was not authorized to represent Defendant at trial, argued on Defendant's behalf for a continuance, on the day of



Jasper County,
MO

Developing: Trump's DOJ Seeks Access to Voting Equipment Used by Missouri Clerks F...

From thegatewaypundit.com

7:15 PM · Sep 5, 2025 · 14.2K Views



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189



495



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Post your reply

Reply



clerk @clerk841635 · Sep 5



PATRICK BYRNE ORDERED BY FEDERAL JUDGE TO SHOW CAUSE WHY HE SHOULD NOT BE HELD IN CONTEMPT

Present The Honorable: STEPHEN V. WILSON, U.S. DISTRICT JUDGE	
David Tansie	Clerk/Clerk
Deputy Clerk	Court Reporter / Recorder
Attorneys Present for Plaintiff:	Attorneys Present for Defendant:
N/A	N/A

Proceedings: ORDER TO SHOW CAUSE WHY DEFENDANT PATRICK BYRNE SHOULD NOT BE SANCTIONED OR HELD IN CIVIL CONTEMPT

I. Introduction

The Court hereby orders Patrick Byrne, Defendant, to show cause why additional sanctions should not be imposed for failure to comply with discovery, and why Defendant should not be held in civil contempt for violation of multiple court orders.

Before issuing a formal finding of contempt and imposing further sanctions, the Court issues this order to show cause so that Defendant may have notice and an opportunity to be heard on the matter.

II. Background

However, in direct violation of the Court's order from July 30, Defendant has provided neither oral nor physical address to Plaintiff and remains unresponsive to Plaintiff and the Court. See ECF No. 327 ("App'l") at 3-4-1. This behavior by Defendant has frustrated Plaintiff's attempts to conduct the court-ordered limited discovery. Moreover, at the status conference on August 18, 2025, Defendant again failed to personally appear, in direct violation of the Court's order. ECF No. 326.

III. Discussion

Considering Defendant's pattern of dilatory behavior, failure to comply with discovery, and repeated violations of court orders, the Court now considers further sanctions.

A. Sanctions for Failure to Comply with Discovery

The Federal Rules of Civil Procedure ("FRCP") mandate that all parties comply with discovery. See Fed. R. Civ. P. 37. As such, when a party fails to obey an order to provide or permit discovery, the court where the action is pending may issue further orders, including: (1) directing that designated facts be taken as established for purposes of the action; (2) prohibiting the disobedient party from supporting or opposing designated claims or defenses; (3) striking pleadings in whole or in part; (4) staying further proceedings; (5) dismissing the action in whole or in part; (6) rendering a default judgment against the disobedient party; or (7) treating as contempt of court the failure to obey any order except an order to submit to a physical or mental examination. Fed. R. Civ. P. 37(b)(2)(A).

In the August 3 order, the Court sanctioned Defendant for dilatory conduct at trial by requiring

proceedings, Defendant's lead trial attorney was Michael Murphy. See ECF No. 48. However, on the morning of trial, Defendant terminated Mr. Murphy without warning. Adversely proceedings at the expense of Plaintiff and this Court. Defendant initially attempted to replace Mr. Murphy with three new lawyers: Eric Noll, Tom Yu, and Stephanie Lynn Lambert. ECF No. 298, 291, 292. Ms. Lambert was not a member of the California bar, and her application to appear pro-hab was not yet granted due to her recent history of unethical conduct, which gave the Court reason to doubt she would abide by the Court's rules and practices. ECF No. 295. When Defendant learned that Ms. Lambert was not qualified to represent him in this case, Defendant also terminated Mr. Noll and Mr. Yu to remove themselves. ECF No. 311.

Moreover, Defendant himself, now unrepresented, failed to appear at trial. Accordingly, the Court issued an order to show cause why it should not enter default judgment and ordered the parties to return the next day. At that hearing, on July 30, 2025, Defendant again failed to appear. Mr. Yu, who was not authorized to represent Defendant at trial, argued on Defendant's behalf for a continuance, in lieu of default judgment. See ECF No. 317. After hearing arguments, the Court weighed relevant public interest factors, declined to enter default judgment, and instead allowed a continuance and October 14, 2025, so that Defendant could return counsel. At Missouri, as a sanction for Defendant's conduct, the Court required limited discovery to allow Plaintiff to investigate Defendant's financial condition and correspondingly ordered Defendant to (1) provide Plaintiff with an email address for electronic service at a physical address for mail or in-person delivery service of documents, and (2) respond to any written discovery requests from Plaintiff within business days. At Enforcement, on August 18, 2025, the Court set a status conference for August 18, 2025, and ordered Defendant to appear personally. ECF No. 316. To ensure Defendant had actual notice, the Court sent copies of the above orders to Defendant's current, past, and former email addresses and rendering a default judgment against Defendant. In response to Defendant, this Court offers him an opportunity to show cause why the Court should not promptly take such action.

B. Civil Contempt for Violation of Court Orders

It is well-established that "courts have inherent power to enforce compliance with their lawful orders through civil contempt." *Spokane v. United States*, 443 U.S. 245, 259 (1979) (quoting *United States v. United States*, 344 U.S. 344, 370 (1953)). The contempt power is necessary to protect a court's ability to preserve the integrity of its proceedings and to enable it to enforce its judgments and orders. *Evans v. United States*, 481 U.S. 787, 798 (1987). As such, a party may be held in civil contempt when it "failed" to take all reasonable steps within [its] power to comply [with a specific and definite court order]." *At Spouting Fire in Dead*, *Stick Value Controls Controls* *United States*, 10 F. 3d 683, 695 (9th Cir. 1993).

The distinction between civil and criminal contempt lies in the "character and purpose" of the sanction imposed. *Compton v. Paul's Store & Range Co.*, 223 U.S. 418, 440 (1911); *United States v. Ford Motor Co.*, 399 F.2d 1101, 1110-04 (9th Cir. 2005). Criminal contempt is punitive and is imposed to "vindicate the authority of the court." *Guoguo*, 223 U.S. at 440. In contrast, civil contempt has a remedial purpose. *At United criminal contempt*, civil contempt contains no willfulness requirement. *At Court v. Jacksonville Paper Co.*, 156 U.S. 187, 191 (1895). However, a finding of civil contempt may be supported by clear and convincing evidence. *At or Court*, 327 F.3d 1178, 1190-91 (9th Cir. 2005).

Defendant Byrne appears to have failed to take all reasonable steps within his power to comply with two specific and definite orders issued by this court. First, Defendant—who terminating all his attorneys without warning on the day of trial—failed to comply, despite notice, with an order for sanctions

Patrick Byrne



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EXHIBIT U

(September 5, 2025 comment
and tag of @PatrickByrne)



Patrick Byrne
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FEDERAL JUDGE ORDERS PATRICK BYRNE TO SHOW CAUSE OR BE HELD
IN CONTEMPT



Present: The Honorable STEPHEN V. WILSON, U.S. DISTRICT JUDGE

Deputy Clerk	Courtroom
Attorneys Present for Plaintiff:	Court Reporter / Recorder
N/A	Attorneys Present for Defendant:
N/A	N/A

Proceedings: ORDER TO SHOW CAUSE WHY DEFENDANT PATRICK BYRNE SHOULD NOT BE SANCTIONED OR HELD IN CIVIL CONTEMPT

I. Introduction

The Court hereby orders Patrick Byrne, Defendant, to show cause why additional sanctions should not be entered for failure to comply with discovery, and why Defendant should not be held in civil contempt for violation of multiple court orders.

Before issuing a formal finding of contempt and imposing further sanctions, the Court issues this order to show cause so that Defendant may have notice and an opportunity to be heard on the matter.

II. Background

However, in direct violation of the Court's order from July 16, Defendant has provided neither actual nor physical address to Plaintiff and remains unresponsive to Plaintiff and the Court. See ECF No. 127 ("heggs") at 3-4.1. This behavior by Defendant has hindered Plaintiff's attempts to conduct the court-ordered United States discovery. Moreover, at the status conference on August 18, 2025, Defendant again failed to personally appear, in direct violation of the Court's order. ECF No. 126.

III. Discussion

Considering Defendant's pattern of dilatory behavior, failure to comply with discovery, and repeated violations of court orders, the Court now considers further sanctions.

A. Sanctions for Failure to Comply with Discovery

The Federal Rules of Civil Procedure ("FRCP") mandate that all parties comply with discovery. See Fed. R. Civ. P. 37. As such, when a party fails to obey an order to provide or permit discovery, the court where the action is pending may issue further orders, including: (1) directing that designated facts be taken as established for purposes of the action; (2) prohibiting the disobedient party from supporting or opposing designated claims or defenses; (3) striking pleadings in whole or in part; (4) entering further proceedings; (5) dismissing the action in whole or in part; (6) entering a default judgment against the disobedient party; or (7) entering an order of contempt of court. The failure to obey any order except an order to submit to a physical or mental examination. Fed. R. Civ. P. 37(b)(2)(A).

In the August 7 order, this Court sanctioned Defendant for dilatory conduct at trial by requiring

proceedings. Defendant's lead trial attorney was Michael Murphy. See ECF No. 48. However, on the morning of trial, Defendant terminated Mr. Murphy without warning, defying proceedings at the expense of Plaintiff and this Court. Defendant initially attempted to replace Mr. Murphy with three new lawyers: Eric Neff, Tom Yu, and Surface Lynn Lambert-Jurella. ECF Nos. 290, 291, 292. Mr. Lambert was not a member of the California Bar, and her application to appear pro se could not be granted due to her sparse history of unethical conduct, which gave the Court reason to doubt she would abide by the Court's rules and practices. ECF No. 295. When Defendant learned that Mr. Lambert was not qualified to represent him in this case, Defendant also instructed Mr. Neff and Mr. Yu to remove themselves. ECF No. 311.

Moreover, Defendant himself, new co-counsel, failed to appear at trial. Accordingly, the Court issued an order to show cause why it should not enter default judgment and ordered the parties to return the next day. At the hearing, on July 16, 2025, Defendant again failed to appear. Mr. Yu, who was not authorized to represent Defendant at trial, argued on Defendant's behalf for a continuance, in lieu of default judgment. See ECF No. 307. After hearing arguments, the Court weighed relevant public interest factors, declined to issue default judgment, and instead allowed a continuance until October 14, 2025, so that Defendant could retain counsel. *M. Martinez*, as a sanction for Defendant's conduct, the Court imposed limited discovery to allow Plaintiff to investigate Defendant's financial condition and correspondingly ordered Defendant to (1) provide Plaintiff with an email address for electronic service at a physical address for mail or overnight delivery service of documents, and (2) respond to any written discovery requests from Plaintiff within fourteen days. *Id.* Furthermore, on August 18, 2025, the Court set a status conference for August 18, 2025, and ordered Defendant to appear personally. ECF No. 318. To ensure Defendant had actual notice, the Court sent copies of the above orders to Defendant's current

pastor, damage control and rendering a default judgment against Defendant. In defiance to Defendant, this Court offers him an opportunity to show cause why the Court should not promptly take such action.

B. Civil Contempt for Violation of Court Orders

It is well established that "courts have inherent power to enforce compliance with their lawful orders through civil contempt." *Spokane v. United States*, 493 U.S. 265, 270 (1990) (quoting *Hollister v. United States*, 384 U.S. 384, 370 (1966)). The contempt power is necessary to protect a court's ability to preserve the integrity of its proceedings and to enable it to enforce its judgments and orders. *Young v. United States*, 481 U.S. 58, 59 (1987). As such, a party may be held in civil contempt when a "[d]efendant fails to take all reasonable steps within [his] power to comply [with a specific and definite court order]." *M. Martinez* at 3. *Id.* (quoting *United States v. Dyer*, 12 F.3d 1176, 1180-81 (9th Cir. 1993)).

The distinction between civil and criminal contempt lies in the "character and purpose" of the sanction imposed. *Compton v. Bell's River & Range Co.*, 221 U.S. 418, 440 (1911); *Law v. Ford Motor Co.*, 399 F.2d 1181, 1110 (9th Cir. 2005). Criminal contempt is punitive and is imposed to "vindicate the authority of the court." *Compton*, 221 U.S. at 440. In contrast, civil contempt has a remedial purpose. *Id.* Unlike criminal contempt, civil contempt contains no willfulness requirement. *Id.* *Compton* v. *Law*, 399 F.2d 1181, 1191 (9th Cir. 1968). However, a finding of civil contempt must be supported by clear and convincing evidence. *In re Dyer*, 12 F.3d 1176, 1180-81 (9th Cir. 2005).

Defendant Byrne appears to have failed to take all reasonable steps within his power to comply with two specific and definite orders issued by this Court. First, Defendant—after terminating all his attorneys without warning on the day of trial—failed to comply, despite notice, with an order for sanctions

Patrick Byrne



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EXHIBIT V

(Reply from Donald Anderson
@DonaldA_Iowa to post on
September 5, 2025)



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FEDERAL JUDGE ORDERS PATRICK BYRNE TO SHOW CAUSE OR BE HELD
IN CONTEMPT

Present: The Honorable STEPHEN V. WILSON, U.S. DISTRICT JUDGE

David Tansone Deputy Clerk Attorneys Present for Plaintiff: N/A	Courtroom Court Reporter / Recorder Attorneys Present for Defendant: N/A
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Proceedings: ORDER TO SHOW CAUSE WHY DEFENDANT PATRICK BYRNE SHOULD NOT BE SANCTIONED OR HELD IN CIVIL CONTEMPT

I. Introduction

The Court hereby orders Patrick Byrne, Defendant, to show cause why additional sanctions should not be entered for failure to comply with discovery, and why Defendant should not be held in civil contempt for violation of multiple court orders.

Before issuing a formal finding of contempt and imposing further sanctions, the Court issues this order to show cause so that Defendant may have notice and an opportunity to be heard on the matter.

II. Background

However, in direct violation of the Court's order from July 30, Defendant has provided neither email nor physical address to Plaintiff and remains unresponsive to Plaintiff and the Court. See ECF No. 127 ("App'l") at 3-4. This behavior by Defendant has frustrated Plaintiff's attempts to conduct the court-ordered Internet discovery. Moreover, at the status conference on August 18, 2025, Defendant again failed to personally appear, in direct violation of the Court's order. ECF No. 126.

III. Discussion

Considering Defendant's pattern of dilatory behavior, failure to comply with discovery, and repeated violations of court orders, the Court now sanctions further sanctions.

A. Sanctions for Failure to Comply with Discovery

The Federal Rules of Civil Procedure ("FRCP") mandate that all parties comply with discovery. See Fed. R. Civ. P. 37. As such, when a party fails to obey an order to provide or permit discovery, the court where the action is pending may issue further orders, including: (1) directing that designated facts be taken as established for purposes of the action; (2) prohibiting the disobedient party from supporting or opposing designated claims or defenses; (3) striking pleadings in whole or in part; (4) staying further proceedings; (5) dismissing the action in whole or in part; (6) rendering a default judgment against the disobedient party; or (7) treating as contempt of court the failure to obey any order except an order to submit to a physical or mental examination. Fed. R. Civ. P. 37(d)(2)(A).

In the August 7 order, the Court sanctioned Defendant for dilatory conduct at trial by requiring

proceedings, Defendant's lead trial attorney was Michael Murphy. See ECF No. 88. However, on the morning of trial, Defendant terminated Mr. Murphy without warning, advising proceedings at the expense of Plaintiff and this Court. Defendant initially attempted to replace Mr. Murphy with three new lawyers: Eric Neff, Tom Yu, and Sabrina Lynn Lambert. ECF Nos. 290, 291, 292. Mr. Lambert was not a member of the California Bar, and his application to appear pro hac vice could not be granted due to her recent history of unethical conduct, which gave the Court reason to doubt she would abide by the Court's rules and position. ECF No. 295. When Defendant learned that Ms. Lambert was not qualified to represent him in this case, Defendant also terminated Mr. Neff and Mr. Yu to remove themselves. ECF No. 311.

Moreover, Defendant himself, new and unrepresented, failed to appear at trial. Accordingly, the Court issued an order to show cause why it should not enter default judgment and collect the parties to return the next day. As that hearing, on July 30, 2025, Defendant again failed to appear. Mr. Yu, who was not authorized to represent Defendant at trial, argued on Defendant's behalf for a continuance, in lieu of default judgment. See ECF No. 307. After hearing arguments, the Court weighed relevant public interest factors, declined to grant a continuance, and instead allowed a continuance until October 16, 2025, so that Defendant could return counsel. *Id.* Moreover, as a sanction for Defendant's conduct, the Court required Internet discovery to allow Plaintiff to investigate Defendant's financial condition and correspondingly ordered Defendant to (1) provide Plaintiff with an email address for electronic service at a physical address for mail or overnight delivery service of documents, and (2) respond to any written discovery requests from Plaintiff within fourteen days. *Id.* Furthermore, on August 18, 2025, the Court set a status conference for August 18, 2025, and ordered Defendant to appear personally. ECF No. 126. To ensure Defendant had actual notice, the Court sent copies of the above orders to Defendant's current, past, and former attorneys, as well as to the Court's clerk. The Court also issued an order to show cause why Defendant should not be held in civil contempt for violation of multiple court orders.

B. Civil Contempt for Violation of Court Orders

It is well-established that "courts have inherent power to enforce compliance with their lawful orders through civil contempt." *Spencer v. United States*, 440 U.S. 283, 279 (1979) (quoting *Ballentine v. United States*, 384 U.S. 364, 370 (1966)). The contempt power is necessary to protect a court's ability to preserve the integrity of its proceedings and to enable it to enforce its judgments and orders. *Young v. United States*, 481 U.S. 767, 784 (1987). As such, a party may be held in civil contempt when it "fail[s] to take all reasonable steps within [its] power to comply [with a specific and definite court order]." *Id.* (quoting *In re Dean*, 386 U.S. 358, 364 (1967)).

The distinction between civil and criminal contempt looks to the "character and purpose" of the sanction imposed. *Compton v. Bell & Howell Co.*, 221 U.S. 418, 441 (1911); *Lawson v. Ford Motor Co.*, 399 F.2d 1001, 1010 (9th Cir. 2005). Criminal contempt is punitive and is imposed to "vindicate the authority of the court." *Compton*, 221 U.S. at 441. In contrast, civil contempt has a remedial purpose. *Id.* Unlike criminal contempt, civil contempt contains no willfulness requirement. *Id.* *Compton* v. *Lawson*, 399 F.2d 1001, 1010 (9th Cir. 2005). However, a finding of civil contempt must be supported by clear and convincing evidence. *In re Dean*, 386 U.S. 358, 364 (1967).

Defendant Byrne appears to have failed to take all reasonable steps within his power to comply with two specific and definite orders issued by the court. First, Defendant—who terminating all his attorneys without warning on the day of trial—failed to comply, despite notice, with an order for sanctions

Patrick Byrne

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 Donald Anderson
@DonaldA_Iowa

And this has WHAT to do with elections? So Byrne and the cokehead have a dispute. Whatever.

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EXHIBIT W

(September 6, 2025 comment
and tag of @PatrickByrne)

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PATRICK BYRNE ORDERED BY FEDERAL JUDGE TO SHOW CAUSE OR BE HELD IN CONTEMPT



Present The Honorable: STEPHEN V. WILSON, U.S. DISTRICT JUDGE

Deputy Tanager	Clerk/Chief
Deputy Clerk	Court Reporter / Recorder
Attorneys Present for Plaintiff:	Attorneys Present for Defendant:
N/A	N/A

Percentage: ORDER TO SHOW CAUSE WHY DEFENDANT PATRICK BYRNE SHOULD NOT BE SANCTIONED OR HELD IN CIVIL CONTEMPT

I. Introduction

The Court hereby orders Patrick Byrne, Defendant, to show cause why additional sanctions should not be entered for failure to comply with discovery, and why Defendant should not be held in civil contempt for violation of multiple court orders.

Before issuing a formal finding of contempt and imposing further sanctions, the Court issues this order to show cause so that Defendant may have notice and an opportunity to be heard on the matter.

II. Background

However, in direct violation of the Court's order from July 30, Defendant has provided neither email nor physical address to Plaintiff and remains unresponsive to Plaintiff and the Court. See ECF No. 327 ("Appl.") at 3-4-1. This behavior by Defendant has hindered Plaintiff's attempts to conduct the court-ordered discovery. Moreover, at the status conference on August 18, 2025, Defendant again failed to personally appear, in direct violation of the Court's order. ECF No. 326.

III. Discussion

Considering Defendant's pattern of dilatory behavior, failure to comply with discovery, and repeated violations of court orders, the Court now considers further sanctions.

A. Sanctions for Failure to Comply with Discovery

The Federal Rules of Civil Procedure ("FRCP") mandate that all parties comply with discovery. See Fed. R. Civ. P. 37. As such, when a party fails to obey an order to provide or permit discovery, the court where the action is pending may issue further orders, including: (1) directing that designated facts be taken as established for purposes of the action; (2) prohibiting the disobedient party from supporting or opposing designated claims or defenses; (3) striking pleadings in whole or in part; (4) staying further proceedings; (5) dismissing the action in whole or in part; (6) rendering a default judgment against the disobedient party; or (7) treating as contempt of court the failure to obey any order except an order to submit to a physical or mental examination. Fed. R. Civ. P. 37(b)(2)(A).

In the August 5 order, this Court sanctioned Defendant for dilatory conduct as well by requiring

proceedings, Defendant's lead trial attorney was Michael Murphy. See ECF No. 48. However, on the morning of trial, Defendant terminated Mr. Murphy without warning, delaying proceedings at the expense of Plaintiff and this Court. Defendant initially attempted to replace Mr. Murphy with their new lawyers: Mr. Neff, Tom Yu, and Stefano Lynn Lamberti-Juarez. ECF No. 296, 291, 292. Mr. Lamberti was not a member of the California Bar, and his application to appear pro hac vice could not be granted due to his recent history of unethical conduct, which gave the Court reason to doubt he would abide by the Court's rules and practices. ECF No. 295. When Defendant learned that Mr. Lamberti was not qualified to represent him in this case, Defendant also terminated Mr. Neff and Mr. Yu to remove themselves. ECF No. 301.

Moreover, Defendant himself now unrepresented, failed to appear at trial. Accordingly, the Court issued an order to show cause why it should not enter default judgment and subject the parties to contempt the next day. At that hearing, on July 30, 2025, Defendant again failed to appear. Mr. Yu, who was not authorized to represent Defendant at trial, argued on Defendant's behalf for a continuance, in lieu of default judgment. See ECF No. 307. After hearing arguments, the Court weighed relevant public interest factors, declined to issue default judgment, and instead allowed a continuance until October 16, 2025, so that Defendant could retain counsel. *Id.* Moreover, as a sanction for Defendant's conduct, the Court required limited discovery to allow Plaintiff to investigate Defendant's financial condition and correspondingly ordered Defendant to (1) provide Plaintiff with an email address for electronic service or a physical address for mail or overnight delivery service of documents; and (2) respond to any written discovery requests from Plaintiff within fourteen days. *Id.* Furthermore, on August 14, 2025, the Court set a status conference for August 18, 2025, and ordered Defendant to appear personally. ECF No. 308. To ensure Defendant had actual notice, the Court sent copies of the above orders to Defendant's current, past, and former email addresses and rendering a default judgment against Defendant. In defiance to Defendant, this Court offers him an opportunity to show cause why the Court should not promptly take such action.

B. Civil Contempt for Violation of Court Orders

It is well-established that "courts have inherent power to enforce compliance with their lawful orders through civil contempt." *Spillane v. United States*, 440 U.S. 265, 276 (1978) (quoting *Ballantine v. United States*, 384 U.S. 364, 370 (1966)). This contempt power is necessary to protect a court's ability to prevent the disruption of its proceedings and to enable it to enforce its judgments and orders. *Young v. United States*, 481 U.S. 767, 784 (1987). As such, a party may be held in civil contempt when it "fail[s] to take all reasonable steps within [its] power to comply [with a specific and definite court order]." *Ad Sparring Inc. v. Dred. Ditch Video County Recorder Assistant Ltrg.*, 197 F.3d 685, 695 (9th Cir. 1999).

The distinction between civil and criminal contempt lies in the "character and purpose" of the sanction imposed. *Compton v. Reed & Singer Co.*, 323 U.S. 418, 421 (1945); *Ex parte Ford Motor Co.*, 399 F.2d 1100, 1110 (9th Cir. 1968). Criminal contempt is punitive and is imposed to "vindicate the authority of the court." *Guiguer*, 323 U.S. at 440. In contrast, civil contempt has a remedial purpose. *Ad Sparring* criminal contempt, civil contempt contains no willfulness requirement. *Id.* *United States v. Jackson*, 390 U.S. 571, 581 (1968). However, a finding of civil contempt must be supported by clear and convincing evidence. *In re Dean*, 327 F.3d 1176, 1180-81 (9th Cir. 2003).

Defendant Byrne appears to have failed to take all reasonable steps within his power to comply with two specific and definite orders issued by this court. First, Defendant—after terminating all his attorneys without warning on the day of trial—failed to comply, despite notice, with an order for sanctions

Patrick Byrne



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Case 2:23-cv-09430-SVW-PD Document 330 Filed 08/28/25 Page 5 of 5 Page ID #:7847

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CIVIL MINUTES - GENERAL

Case No.	2:23-cv-09430-SVW-PD	Date	August 28, 2025
Title	Robert Hunter Biden v. Patrick M. Byrne		

that required Defendant provide Plaintiff with an email or physical address for service of documents and respond to written discovery requests from Plaintiff within fourteen days. ECF No. 307. Furthermore,